











# NAVAL POSTGRADUATE SCHOOL

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## THESIS

ARMS CONTROL WITH A DEMOCRACY?: NEGOTIATING  
WITH THE NEW SOVIET UNION

by  
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Arms control with a democracy? :  
negotiating with the new Soviet Union.  
by

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## ABSTRACT

This thesis analyzes a variety of aspects concerning arms control with a reformed Soviet Union. Despite the growth of pluralism in the Soviet Union arms control will remain an important policy goal of the United States. Policy-makers need to be aware of both new problems and opportunities which will be created as the Soviet Union transitions into a democracy.

This study postulates four possible outcomes of Soviet governmental reform and then examines one in particular with respect to arms control with the Soviets in the future. Besides postulating the end form of Soviet government it looks at inter-democracy relationships with an eye on illuminating the particular idiosyncrasies involved in them. In addition, it analyzes the possibility of learning lessons from the interaction of previous U.S. democracy to democracy. Specifically, the U.S.-Japanese relationship in trade and security is utilized in this comparison.

Arms control will still be necessary even if the Soviets are successful in the restructuring of their government. It may become more difficult rather than easier to reach arms control agreements with the new Soviet Union. A restructured Soviet Union must cause decision-makers to rethink their approach to concluding successful arms control agreements.

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## I. INTRODUCTION

Arms control with a democracy? Besides sounding unnecessary, pursuit of this type of policy goal has never really confronted U.S. decision-makers. However, it may become a vital policy option for the United States in the near future. There is a distinct possibility that the Soviet Union's archaic and unworkable system of communist government will evolve into a pluralistic representative form of democratic government. Despite the growth of pluralism in the Soviet Union, arms control will remain a desirable policy option for U.S. national security decision-makers.

This thesis will argue that arms control is both desirable and necessary with the Soviet Union even if it becomes a democracy. Additionally, it will argue that because of that democratization, the negotiation and ratification of arms control agreements have and will undergo fundamental changes that will affect future U.S. policy-making. These changes will present U.S. decision-makers with a variety of new opportunities and problems.

As odd as it may seem arms control with a democracy will become a realistic and desirable aspect of foreign policy if reform in the Soviet Union continues. Without some sort of codified arms control it is highly likely the Soviet Union will continue to possess a large number of both nuclear and conventional weapons and forces. This type of situation was not acceptable during the cold war nor will it be acceptable in the post cold war era.

However, the new paradigm will feature the Soviet Union in a radically altered political state.

This will be the situation confronting U.S. decision-makers as we approach the 21st century. There are a multitude of questions that arise out of this new paradigm. The answers to a number of these questions are obvious and to others they are not. Some of these questions have been researched extensively and others are just beginning to be explored. Whether or not they have been previously explored or answered is not as important as is applying them to the new paradigm.

#### **A. IMPORTANCE OF ARMS CONTROL WITH THE NEW SOVIET UNION**

Mikhail Gorbachev's ascension to the leadership of the Soviet Union marked a true watershed in Soviet domestic and foreign policy. From his rise to power in 1985 until the present day Gorbachev has made numerous decisions which have changed the course of the Soviet nation. The Soviet political, economic, and military landscapes are all undergoing fundamental revolution. The very fabric of Soviet society has been profoundly affected by each of these revolutions.

It is not known if any or all of these revolutions will be successful. Regardless of whether or not they are successful, the Soviet Union remains and will remain a major world power. The sheer presence of nuclear weapons, in the quantity which they possess, makes them one. Since the early days of the atomic age it has been within the United States' national



interest to seek forthright and peaceful relations with the Soviets. This will remain a goal of U.S. national security policy well into the 21st century.

An integral part of U.S. national security policy has been the pursuit of meaningful and mutually beneficial arms control. Attainment of agreements in pursuit of arms control are a national security goal which has not always been easy or fruitful. However, it is important to continue to work toward realistic and functional arms control agreements.

Unlike our longtime allies of Great Britain and France, the Soviet Union has maintained a military doctrine directed against us. This is the number one reason arms control is and will remain an important U.S. national security goal. This is a security argument that can stand on its own, but it may not be recognized by all decision-makers. No one knows if there will be some type of enduring security conflict between the U.S. and the Soviets. Arms control with our cold war allies has not been necessary because there was no enduring conflict and we were presented with a common enemy. That is not to say that the western bloc of nations did not have their differences. It is just that they never escalated into armed tensions.

There is a substantial amount of research which indicates democracies do not come into armed conflict over areas where differences exist. I will analyze this concept further in Chapter II. However, it is important to remember that nowhere in other people's research or my own does anyone say it is not possible for democracies to fight. There is nothing to prohibit democracies from fighting one and another. In the past democracies usually have joined sides against a common enemy. In the case of the new U.S.-

Soviet relationship there may be no common enemy. This is the second major reason why arms control with the Soviets is still important.

The third reason why it is important to continue to pursue arms control with the Soviet Union is that there is no guarantee that once they become a democracy that they will stay one. There are other end forms of government that could be arrived at by the Soviets. A hard swing to the right after an experimentation with democracy can not be ruled out. For this reason it behooves U.S. policy-makers to negotiate good arms control agreements now while the climate of the relationship is one of cooperation.

Real arms control is a goal which can not be abandoned no matter what form of governmental structure is eventually arrived at by the Soviets. The U.S. approach to arms control in the future will be directly influenced by the form and style of government that is adapted by the Soviet Union. This new situation will present the United States with both problems and opportunities. Whatever the outcome there exists a whole host of fundamental questions which I believe must be answered in order for U.S. policy-makers to make smart decisions with regards to arms control.

## **B. METHODOLOGY**

In arguing that arms control with the Soviet Union is still important this thesis will attempt to answer several theoretical and policy oriented questions. In answering some of these questions I will utilize four types of methodology. First, I will examine two important theoretical concepts. One is the theory behind arms control and the other is an analysis of inter-democracy relationships.

Secondly, this thesis will examine general treaty ratification process in an international perspective. It will then review the treaty ratification processes of the U.S. and of the Soviet Union, prior to the start of reform. These first three items are the theoretical background I will draw upon to set the base of my argument.

Third, it will outline Soviet governmental reform with an eye on what the likely outcome of the transitional period will be. In doing so I will look at alternative future scenarios with respect to Soviet governmental reform. In the alternative futures section I will postulate four (4) possible outcomes of the Soviet governmental reform and transition. Each of them is important in their own right, but I am going to conduct a comparison and contrast with one in particular.

Most importantly, this thesis will analyze the implications of change on arms control by utilizing two types of comparison methodology. I will do this by choosing my most probable case from the alternative futures chapter. It is in this area where U.S. planners must be most aware of new problems and opportunities that will result from a reformed Soviet Union.

It is in this portion of my thesis that inter-democracy relationships will be examined. In doing so I will look at the domestic elements of a democracy to democracy relationship. I will discern the unique aspects of relationship between domestic elements and foreign policy in two ways. These domestic elements could quite possibly change negotiating styles and block any future agreements from coming to fruition. In turn I will analyze the arms control aspects of this new scenario for U.S.-Soviet relations.



I will go about this by first, examining the U.S.-Japanese security and trade relationship. It is here that I intend to argue that there are several lessons which can be learned from inter-democracy relations. I believe these lessons can be utilized in attempting to arrive at a negotiating strategy for dealing with a reformed democratic based Soviet government. Secondly, I will contrast the U.S. treaty ratification process to one which may be adopted by the Soviet Union. This comparison may lead us to look anew at arms control goals and negotiations and it will certainly change our approach to arms control.

Lastly, it will explore why all of this is important as well as what type of arms control policy the U.S. should pursue in the future. This introduction has laid out the foundation of my thesis. The next chapter of theory will aid the reader in understanding much of the background of this thesis.

## II. THEORY OF ARMS CONTROL AND INTER-DEMOCRACY RELATIONS

In this thesis there are two very fundamental concepts which must be understood before discussing the nature of arms control with the new Soviet Union. The first is the theory behind arms control, and the second deals with the interrelationship of democracies. In order to fully assess the direction of U.S. policy-making it is important that these two concepts are fully understood by decision-makers. It is for this reason I have grouped these two diverse subjects in the forward part of this analysis.

This chapter will specifically look at the theory behind arms control with an eye on the future for U.S. policy-making. The generic term arms control can be interpreted in a variety of ways. However, when future arms control agreements are being negotiated and eventually ratified it is important to comprehend the nuances involved in all the aspects of the arms control process.

Secondly, this chapter will address the notion of democracy to democracy relations. Whether or not democracies coexist in harmony is a major part of the core of this thesis. A reformed Soviet Union is the key to new paradigm. It will present U.S. policy-makers with a completely new variation of democracy to democracy interaction. For this reason it is important to understand the theory behind these types of relationships.

## A. THEORY BEHIND ARMS CONTROL

In understanding arms control the first question that needs to be addressed is— What is arms control?

“Arms control is essentially a means of supplementing unilateral military strategy by some kind of collaboration with the countries that are potential enemies. The aims of arms control and the aims of a national military strategy should be substantially the same.”<sup>1</sup>

With this definition in mind the second question that needs to be answered is— Into what aspect of a nation’s national security policy does arms control fit? That is to say— What can be derived from pursuing and attaining arms control agreements? The answer to these questions can depend on what level a nation views and analyzes arms control.

“On the one hand, arms control is a **technical** exercise, which can be pursued unilaterally, bilaterally or multilaterally and is designed to fine-tune the superpower nuclear balance so as to preserve deterrence and peace by eliminating incentives for one side to attack the other. On the other hand, arms control is a **political** exercise designed to demonstrate the desire of governments to reduce the scale and dangers of the nuclear confrontation by pursuing negotiated constraints and reductions in nuclear weapon systems.”<sup>2</sup>

The political aspect of arms control raises yet another definitional question. Is there a distinction between “constraints” and “reductions”? The answer to this question can be found by recognizing there is a difference between disarmament and arms control.

“The crucial distinguishing feature separating arms control from disarmament was that disarmament always involves arms reductions.

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<sup>1</sup>Thomas C. Schelling and Morton H. Halperin, Strategy and Arms Control, (New York, 1961), 142, quoted in Michael Sheehan, Arms Control: Theory and Practice, (New York: Basil Blackwell Ltd, 1988), 1.

<sup>2</sup>Sheehan, Arms Control: Theory and Practice, 147.



These reductions might be total, involving the abolition of all arms; they might mean the abolition of one type of weapon; they might be partial, involving numerical reductions in some or all categories of weapons; or they might be local, regional or global. Reduction, however, was the key.

Arms control in contrast may involve reductions, but need not necessarily do so. Indeed, in certain circumstances the arms control approach produces a requirement for more, not fewer, weapons. The disarmament approach assumes that weapons are a cause of war, therefore to abolish weapons is to abolish war. The arms control approach believes that wars begin in the minds of men, that peace and stability are as much a function of intentions as they are of military capabilities.”<sup>3</sup>

As one can see arms control is not synonymous with disarmament, but it can include a measure of disarmament.

Furthermore, I would extend the definition of arms control much beyond just nuclear weapons systems. It is true that the fear of nuclear exchange and escalation are the most crucial of arms control purposes, but other areas of weapons and forces can be controlled. The recently concluded Conventional Forces in Europe (CFE) treaty is the most relevant example of successful arms control outside the nuclear specter.

It is also important to remember that arms control can fall into three categories and be pursued three different ways. Arms control can fall into any one of the following categories:

- = Structural, actual constraint or reduction in numbers of weapons systems or forces;
- = Operational, restrictions on the operating methods and locations of certain weapons systems or forces; and,
- = Confidence and Security Building Measures(CSBM's), the exchanges of information or data on weapons systems or forces.

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<sup>3</sup>Ibid., 7.

While pursuing arms control nations attempt to maximize their security situation by entering into arms control in one of the following manners:

- = Unilateral reduction;
- = Bilateral agreement; or,
- = Multilateral agreement.

Each category and each method of pursuit has unique aspects. At one time or another the U.S. has attempted one or more of them. The attainment of future arms control with the Soviet Union may call into play any one or more of the categories or methods.

## **B. DEMOCRATIC COEXISTENCE**

The possibility is emerging that the Soviets at some point will develop a form of democratically based government. Of course there are other possibilities which can not be discounted. For the main thrust of this thesis I will assume the Soviets will evolve into a democratically based form of government. If that evolution occurs, it will present U.S. decision-makers with some very interesting questions.

We may find it is difficult to interact with another democratic system of government that contains the inherent problems of a democracy. I am not implying that democracy is a bad form of government, but rather that there are idiosyncrasies of and in the democratic process that make international negotiations difficult in both the international arena and on the domestic front. This thesis will tie together both of these negotiating fronts in the arms

control arena in an attempt at answering the basic questions of the evolving U.S.-Soviet relationship.

Do countries with democratically based governments always coexist and interact harmoniously? If they do, is arms control necessary with a democracy and especially with the new Soviet Union? If they do not, can we draw lessons from other types of inter-democracy dealings? Do democracies reach solid internal consensus positions to present to other nations? What are the trade-offs domestically, and do they affect the international bargaining stance? Is it important to perceive and react to all of these questions? How do we deal and interact with a nation that possesses the qualities of being a fledgling democracy and the capability to destroy us?

In answering these questions it becomes necessary to look at a much deeper one first. This deeper question involves the relationship between democracies. As I stated earlier, this thesis will attempt to analyze this issue specifically in the arms control arena. Before the Soviet Union started down the path of reform it was not vital to explore this subject. For all that was said about the Cold War one aspect was a truism. It was relatively easy to define and negotiate conflictual areas. Arms control became a natural by-product of superpower interaction.

Arms control negotiations with the Soviet Union in the past have been undertaken because the basic conditions of a negotiation were in place. Fred Ikle' states that negotiation occurs when there exists certain elements.

“...two elements must normally be present for negotiation to take place: there must be both common interests and issues of conflict.

Without common interest there is nothing to negotiate for, without conflict nothing to negotiate about.”<sup>4</sup>

Ikle’ goes on to define negotiation by writing “...negotiation is a process in which explicit proposals are put forward ostensibly for the purpose of reaching agreement on an exchange or on the realization of a common interest where conflicting interests are present.”<sup>5</sup>

With this in mind it is not evident that arms control will continue to be a natural by-product of superpower interaction. There will certainly be “common interest” in reducing certain types of weapons through arms control. However, the end of the cold war has brought about a significant reduction in tension between the U.S. and Soviet Union. Ikle’s element of conflict appears to be lacking in democracy to democracy relations. Or is it?

The U.S. has never before faced a nation that has both the capability to be its major adversary and has a pluralistic form of government. Bearing this in mind it is necessary to lay the proper groundwork before I fully examine Soviet governmental reform and what it means for U.S. planners. In my view there are two elements which are essential to understand before proceeding farther. First it is important to understand what is meant by a “democratic” or “pluralistic” based form of government. Understanding this concept is vital to recognizing and comprehending the inherent idiosyncrasies involved in the operation of this form of government.

In political philosophy terms a democracy is described in the following manner:

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<sup>4</sup>Fred Charles Ikle’, How Nations Negotiate, (New York: Harper & Row, Publishers, 1964), 2.

<sup>5</sup>Ibid., 3-4.



“‘Democracy’ is difficult to define, not only because it is vague, like so many political terms, but more importantly, because what one person would regard as a paradigm case another would deny was a democracy at all....However, there is still this much agreement: democracy consists in ‘government by the people’ or ‘popular self-government.’ As such, it would still be universally distinguished from, say, a despotism that made no pretense of popular participation-the despotism of Genghis Khan or of Louis XIV, for instance-or from a theocracy, like the Vatican. There remains plenty of room for disagreement, however, about the conditions under which the people can properly be said to rule itself.”<sup>6</sup>

In purest form a democracy is a government of self-rule where everyone has an equal say in decision-making. However, in today’s world that type of democracy is unworkable. The concept of representative democracy is the one most Americans are familiar with. It is characterized as follows:

“Obviously, the conditions of face-to-face democracy, with direct participation, cannot be fulfilled within the political structure of modern states, both because of the size of their populations and because of the specialized knowledge needed to govern them. So although everyone may agree on what makes a small group democratic, when it comes to applying the concept to mass organizations, there is plenty of room for different interpretations of the principles to be applied and of the way to realize them under these very different conditions. Democracy now becomes representative government, that is, government by persons whom the people elect and thereby authorize to govern them.”<sup>7</sup>

Within representative democracy lies the notion of “political representation.” “Political representation” is where both the strengths and weakness of this form of government are observed.

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<sup>6</sup>Paul Edwards, ed., The Encyclopedia of Philosophy, Vol. 2 (New York: The Macmillan Company & The Free Press, 1967), 338.

<sup>7</sup>Ibid., 339.

"Political representation" is the amorphous description of how a democracy actually functions in reality. The manner in which a representative modern day democracy works is described as follows:

"...the representation of interests; a democratic representative is usually thought to have the duty to watch over either the interests of his constituents or, as a member of an assembly representing the whole people, the interests of the people at large. Nevertheless, he could still represent the interests of a group of people without their having had any part in choosing him."<sup>8</sup>

This is how the United States government works, and it may also become the method of operation the Soviet Union will adapt upon completion of governmental reform. I will further examine "the representation of interests" in arms control in Chapter V.

The second element that is essential to explore is the theory that democratic or "liberal" states do not come into conflict with each other. First it is important to briefly discuss what causes nations to arrive at crossroads which result in conflict. Thomas Hobbes attempted to explain the reasoning behind such actions in his writing. His explanations have been expounded upon by many scholars, and all have formed the basis of much of modern international theory.

"In international relations theory, three 'games' explain the fear that Hobbes saw as a root of conflict in the state of war. First, even when states share an interest in a common good that could be attained by cooperation, the absence of a source of global law and order means that no one state can count upon the cooperative behavior of the others. Each state therefore has a rational incentive to defect from the cooperative enterprise even if only to pursue a good whose value is less than the share that would have been obtained from the successful accomplishment of the cooperative enterprise (this is Rousseau's 'stag dilemma'). Second, even though each

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<sup>8</sup>Ibid.

state knows that security is relative to the armaments level of potential adversaries and even though each state seeks to minimize its arms expenditure, it also knows that, having no global guarantee of security, being caught unarmed by a surprise attack is worse than bearing the costs of armament. Each therefore arms; all are worse off (this is the 'security dilemma,' a variant of the 'prisoner's dilemma'). Third, heavily armed states rely upon their prestige, their credibility, to deter states from testing the true quality of their arms in battle, and credibility is measured by a record of successes. Once a posture of confrontation is assumed, backing down, although rational for both together is not rational (first best) for either individually if there is some chance that the other will back down first ( the game of 'chicken').<sup>9</sup>

Each of these concepts are fundamental in understanding the basis behind the pursuit of international agreements, most specifically arms control. Herein lies the question of whether or not these conditions still exist when two democratic states are involved. Are good relations between democratic nations a natural by-product of governmental structures built on similar principles? Immanuel Kant described this phenomena in his Second Definitive Article of the Eternal Peace. Kant wrote about the formation of a "pacific union" in which liberal nations avoid enjoining in any conflict especially armed conflict.

"Liberal republics will progressively establish peace among themselves by means of the 'pacific union' described in the Second Definitive Article of the Eternal Peace. The pacific union is limited to 'a treaty of the nations among themselves' which 'maintains itself, prevents wars, and steadily expands.'"<sup>10</sup>

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<sup>9</sup>Michael W. Doyle, "Kant, Liberal Legacies and Foreign Affairs, Part 1 and Part 2," Philosophy & Public Affairs 12 (Summer and Fall 1983): 218-219; Doyle interprets and quotes from Thomas Hobbes' and Immanuel Kant's work throughout his analysis of foreign affairs of countries with liberal forms of government.

<sup>10</sup>Ibid., 226.

Nearly every scholar in this field agrees that democracies are no less prone to become involved in conflict. The key appears to be finding reasons why they do not clash with each other.<sup>11</sup> There could be two reasons why democracies do not come into conflict with each other. The first partially relates to Kant's idea of a "pacific union." It argues that "democratic political systems are sufficiently rare in the international system that their probability of going to war against each other should be low."<sup>12</sup> That is to say that the "pacific union" is composed of such a small number of countries that they usually band together vice fighting each other. The other is the notion that democracies have been subject to the hegemony of the United States. This is the idea of a **pax Americana**.<sup>13</sup>

With the emergence of new democracies around the globe it could well be that we are witnessing the fulfillment of Kant's articles of peace. The transformation of Eastern Europe and the continuance of reform in the Soviet Union are indeed steps in that direction. However, this increases the number of democracies around the world and by doing so will the probability of conflict between them rise.

Furthermore, what does the relative decline of the U.S. as a world power mean for the liberal association of nations?

"...the decline of U.S. hegemonic leadership may pose dangers for the liberal world. This danger is not that today's liberal states will permit their

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<sup>11</sup>Doyle's article is geared toward this concept. Additionally the entire June 1991 Journal Of Conflict Resolution is dedicated to these propositions and is subtitled: "Democracy and Foreign Policy: Community and Constraint."

<sup>12</sup>Randolph M. Siverson and Juliann Emmons, "Birds of a Feather: Democratic Systems And Allaince Choices In The Twentieth Century," Journal Of Conflict Resolution, Vol. 35 No. 2, June 1991: 285-306.

<sup>13</sup>Ibid., 288.



economic competition to spiral into war, but that the societies of the liberal world will no longer be able to provide the mutual assistance they might require to sustain liberal domestic orders in the face of mounting economic crises.

These dangers come from two directions: military and economic. ....Economic instabilities could make this absence of a multilateral security bond particularly dangerous by escalating differences into hostility. If domestic economic collapses on the pattern of the global propagation of depressions in the 1930s were to reoccur, the domestic political foundations of liberalism could fall. Or, if international economic rivalry were to continue to increase, then consequent attempts to weaken economic interdependence (establishing closed trade and currency blocs) would break an important source of liberal accommodation. These dangers would become more significant if independent and substantial military forces were established. If liberal assumptions of the need to cooperate and to accommodate disappear, countries might fall prey to a corrosive rivalry that destroys the pacific union.<sup>14</sup>

Should the Soviet Union make the full transition into a democracy this situation could apply to the U.S.- Soviet relationship. Additionally it is wrong to assume all problems between countries disappear when they involve democracies. A case in point is our relationship with Japan. Both countries appear to have mutual interests, yet there remains significant tensions in the relationship. Despite the obvious differences a great deal can be learned and derived from the U.S.-Japanese relationship. This relationship may provide planners with a basis and set of examples from inter-democracy negotiation. Quite possibly this analogous relationship of the U.S. and Japan in trade and security areas can well be transferred to the Soviet Union and the United States pursuit of future arms control agreements. I will further explore this analogy in Chapter V.

In the era of U.S.-Soviet cooperation the questions may become— How can we best hedge our bets against uncertainties; and, Which country can best

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<sup>14</sup>Doyle, "Kant, Liberal Legacies and Foreign Affairs," 233.

exploit the other sides political apparatus to their advantage? Greater superpower cooperation must cause U.S. planners to reevaluate the nature and style of negotiating in attaining meaningful arms control agreements. There is no question that cooperation and avoidance of conflict are of greater importance today than in Kant's time. The evidence for democratic government cooperation is substantial, but this does not mean that conflict will never occur. To draw that type of conclusion decision-makers would be taking too great of a risk with U.S. national security policy. The most important aspect of national security should be the pursuit of all means possible of reducing tensions between the U.S. and any potential adversary. In the future that could be the democratic government of the Soviet Union.

There is another aspect of international relations that also must be remembered. This is the fact that there is no supranational body that oversees sovereign nation to sovereign nation interplay. The international system remains an anarchy.<sup>15</sup>The United Nations is just now beginning to fulfill its founders' hopes. However, this does not mean nations will always abide by the U.N.'s rulings.

Since there is no overarching international body it is in our interest to seek ways of ensuring we get along with all nations. It is also important to remember "it takes two to tango." Conflict does not come about by one nation's own doing.

"All wars arise from a relationship between two or more nations. An international war involving one nations is inconceivable. To argue that one nation alone wanted war and caused war is to assume that its enemy had no alternative but to fight in self defence. But before the war the

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<sup>15</sup>Kenneth N. Waltz, Man, the State and War: A Theoretical Analysis, (New York: Columbia University Press, 1959,) 160.

enemy possessed various alternatives. It could peacefully withdraw its demands or offer concessions; it could enlist a powerful ally, though that would also have involved concessions; or it could launch its own surprise attack. If it rejected these alternatives, and found itself attacked, it could still offer those concessions which it had failed to offer earlier. Alternatively it could refuse to resist military invasion and surrender peacefully—a policy adopted by many small nations and large tribes in the last three centuries. If a nation rejected these alternatives, one can only assume that it preferred war. Wars can only occur when two nations decide that they can gain more by fighting than by negotiating. War can only begin and can only continue with the consent of at least two nations.<sup>16</sup>

Conflict is not inevitable between democracies, nor is it out of the question. It is important for U.S. decision-makers to craft arms control policy toward the new Soviet Union with these thoughts in mind.

This chapter has put forth the basic building blocks for this thesis to address both the opportunities and problems brought about by the emerging new government in the Soviet Union. Democratic based governments have a multitude of complexities involved within them, and each is different in its own way. The type and kind of arms control reached between two democracies will indeed be unique. However, the path to the end agreements could very well hold some interesting turns. And it is certain that arms control between two democracies will add to the body of knowledge behind many of these theoretical questions.

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<sup>16</sup>Geoffrey Blainey, The Causes Of War, (New York: The Free Press, 1973,) 158-159.

### III. TREATY RATIFICATION PROCESS

The theory behind arms control and whether or not democracies interact peacefully are both important sections of this thesis. Equally important are the mechanics of the treaty-making process. Before I analyze Soviet governmental reform and its impact on arms control negotiations and ratification it is necessary to comprehend some basic principles of international law. It is also essential to understand the codified procedures for treaties behind both the U.S. and Soviet system of government.

Consequently, this chapter will briefly explore some fundamental aspects of accepted treaty-making in international law. In addition, it will review the U.S. treaty ratification process and the Soviet Union's pre-reform process. All of these are vitally important to understand due to the fundamental changes which will occur in the Soviet process. Why? Because the Soviets may adopt some style of treaty negotiation and ratification that closely resembles the United States' methods.

#### A. TREATIES IN INTERNATIONAL LAW

Treaties are political decisions that involve legal consequences. In arms control treaties go beyond just the legal ramifications and include a national security dimension as well. In order to analyze the future of treaties involving arms control, it is necessary to review both the U.S. and Soviet treaty ratification process as stated in the existing Constitutions. Keep in mind the U.S. method of treaty ratification is not undergoing any change.



However, it is important to understand how it works because the new Soviet method may evolve into a similar mode of adoption. This is where my comparison methodology in Chapter V, will analyze future problems and opportunities.

A general description of international law and treaties is helpful before I outline the current U.S. and previous Soviet sequence of treaty ratification. Treaties are complex intrinsically, and they are driven by a multitude of political forces. One scholar writes:

"States make treaties about every conceivable topic. By and large, all treaties, regardless of their subject-matter, are governed by the same rules, and the law of treaties therefore tends to have a rather abstract and technical character; it is a means to an end, not an end in itself."<sup>17</sup>

One would think that due to the legalistic nature of treaties that there would be international covenants or procedures established for treaty making. This is not necessarily the case at all. It appears the first writings on treaties in international law started with Hugo Grotius in the late 16th and early 17th century. His books *De Jure Praedae (On the Law of Prize and Booty)* and *De Jure Belli ac Pacis (On the Law of War and Peace)* form the foundation of modern international law.

"Treaties and other forms of international agreements have been in evidence throughout recorded history. In modern times, beginning with the writings of Grotius, writers and statesmen have depended mostly on rules of law governing contractual relations between private individuals in developing the principles regulating contractual arrangements between states. Only in the last few decades have serious attempts been begun to

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<sup>17</sup>Michael Akehurst, *A Modern Introduction to International Law*, 6th ed., (London: Unwin Hyman Ltd, 1987), 123.

develop international codes governing treaties and other interstate agreements."<sup>18</sup>

It is hard to believe that treaties have been around for so long, and that only recently have attempts been made to codify treaty-making. For our purposes the Vienna Convention on the Law of Treaties 1969 is the accepted document in international law. However, not all nations are signatories to the convention. The United States is not, whereas the Soviet Union is.<sup>19</sup> This is an area which can and has led to disputes among nations.

The convention attempts to lay down in formal terms the process in which international agreements are concluded.

"The treaty-making process generally involves four major stages, several of which may, however, occur concurrently:

- = Negotiation (including the drawing up and authentication of the text).
- = Provisional acceptance of the text, normally through the affixing of the signatures of the negotiators.
- = Final acceptance of the treaty, normally through ratification.
- = The entry into force of the treaty."<sup>20</sup>

Two of the stages of treaty-making which overlap are ratification and entry into force. Because of their overlap confusion can and does occur concerning when nations become bound by a treaty.

"The adoption of the text does not, by itself, create any obligations. A treaty does not come into being until two or more states consent to be bound by it, and the expression of such consent usually comes after the adoption of the text and is an entirely separate process. ...Article 11 of the Vienna Convention provides: 'The consent of a state to be bound by a treaty may be expressed by signature, exchange of instruments constituting

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<sup>18</sup>Gerhard von Glahn, Law Among Nations An Introduction to Public International Law, 4th ed., (New York: Macmillan Publishing Co., Inc., 1981), 479.

<sup>19</sup>Akehurst, A Modern Introduction to International Law, 123.

<sup>20</sup>von Glahn Law Among Nations, 484.

a treaty, ratification, acceptance, approval or accession, or by any other means if so agreed.' The multiplicity of methods of expressing consent has unfortunately introduced a good deal of confusion into the law. Traditionally, signature and ratification are the most frequent means of expressing consent. In some cases the diplomats negotiating the treaty are authorized to bind their states by signing the treaty; in other cases their authority is more limited, and the treaty does not become binding until it is ratified (that is, approved) by the head of state. In some countries the constitution requires the head of state to obtain the approval of the legislature, or of part of the legislature before ratifying a treaty."<sup>21</sup>

In the past both the U.S. and Soviet Union have been very explicit in the text of their treaties as to when each is bound by the treaty.<sup>22</sup> I do not believe this will be a problem area in the future, but it is something to remember considering how the Soviets interpret international law.

Each stage of the treaty process has its own characteristics and pitfalls. Entry into force becomes the end of earlier steps. For my purposes the negotiation and ratification processes are the major stages in which U.S. planners must be aware to changes in Soviet behavior. I will discuss more about the negotiation nuances as well as the possible new Soviet ratification procedure in Chapter V.

## B. UNITED STATES

Article II, Section 2 of the constitution contains a simple, yet controversial phrase. This clause delineates the process by which the United States enters into treaties. It succinctly says:

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<sup>21</sup>Akehurst, A Modern Introduction to International Law, 125.

<sup>22</sup>Arms Control and Disarmament Agency, Arms Control And Disarmament Agreements: Texts And Histories of The Negotiations, 1990 edition, (Washington, D.C.: GPO, 1990); This is a government publication of source documents which pertain to arms control. It starts with the Geneva Protocol of 1925 and continues through the present day.

"He [the President] shall have Power, by and with the Advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur;..."<sup>23</sup>

This is relatively simple clause, but one which has been open to disputation and interpretation since its inception. In its most basic application the President or his plenipotentiary negotiates a treaty with another nation, and upon completion of the agreement submits it to the Senate for consent. When the Senate fulfills the advice section of the clause they often engage in written correspondence between themselves and the executive branch.<sup>24</sup>

Once discussions are completed between the executive and Senate, the Senate votes on consent which requires a two-thirds majority for passage. The Senate may have reservations to the treaty which they attach in the form of amendments. These amendments can force the President to renegotiate sections of a treaty. This is a problem which can become extremely complex and lengthy if a multilateral treaty is involved.<sup>25</sup>

Treaty ratification, in the United States political process, is a series of trade-offs and consensus building by the President and Senate. The matter is further complicated by immense pressure exerted on the Senate by public opinion and interest groups. The main interest group in any U.S. arms control treaty is the U.S. military. I will examine their role in the treaty process in the discussion of the new Soviet model in Chapter V.

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<sup>23</sup>Constitution, Article II, Section 2.

<sup>24</sup>Charles W. Kegley, Jr. and Eugene R. Wittkopf, American Foreign Policy: Pattern And Process, 2nd ed., (New York: St. Martin's Press, 1982), 412-413.

<sup>25</sup>*Ibid.*, 413-415.

Most Presidents enjoy a high success rate in the ratification of the treaties they have submitted to the Senate. Only eleven treaties were rejected between the signing of the Constitution and 1976.<sup>26</sup> However, the potential exists for the Senate to prohibit controversial treaties from being accepted. It has often been said that is relatively easy to obtain a one-third-plus-one minority to block a treaty. One scholar has observed that "the two-thirds rule thus often operates more as a barrier to foreign policy change than as a facilitator of it."<sup>27</sup>

Another aspect of the U.S. process which is not codified into law is the good cop versus bad cop routine. This is a situation where the administration and Congress purposefully take opposite sides and threaten rejection of all or part of a treaty in order to gain a concession from the other side. This is a political tactic that works just as well as non-submission to the Senate and rejection of ratification. Additionally, good cop/bad cop can be done inadvertently as well as purposefully.

Another well debated and hotly contested subject is the power of the Senate over treaty-making and the willingness of some members to use controversial treaty subjects as conduits for political purposes.

"The Senate Foreign Relations Committee bears primary responsibility for conducting the hearings and investigations on which senatorial advice and consent are based. The Senate has broad responsibilities over other foreign policy matters as well, including, for example, an initial approval of presidentially appointed foreign policy officials. These functions traditionally made the Foreign Committee the most prestigious of all Senate committees, and hence the assignment most desired by members of the Senate."<sup>28</sup>

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<sup>26</sup>*Ibid.*, 414.

<sup>27</sup>*Ibid.*, 413.

<sup>28</sup>*Ibid.*



The most well known example of such a political move was done during and after the Soviet American Trade treaty debate. Senator Henry Jackson of Washington "insisted on an amendment making the most-favored-nation clause conditional upon the Soviets permitting unrestricted emigration (of Soviet Jews specifically.)"<sup>29</sup> The Senate eventually ratified the treaty with reservations. The President signed the bill with the reservations and the Soviets stated "they would not accept its provisions and that the 1972 trade agreement would not come into force."<sup>30</sup>

It is probably fair to say that there have been a number of treaties not put before the Senate for fear of political backlash or non-ratification. It should be noted that treaty non-ratification can have a great impact on the conduct of foreign affairs. The most well known U.S. example of treaty rejection is the Senate's refusal to ratify the Treaty of Versailles. The fear of non-ratification as well as political maneuvering has held up the submission and ratification of the CFE treaty. The basis of this hold-up has been the Soviet's liberal reinterpretation of some sections of the treaty. Apparently the controversial sections and Soviet compliance with them have been rectified. The current administration is expected to send the treaty to the Senate for ratification in the near future.<sup>31</sup>

Non-ratification of a treaty as well as the use of executive agreements are subjects that will be discussed in Chapter V. Politics are never far out of the picture or far behind any treaty ratification.

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<sup>29</sup>Adam B. Ulam, Dangerous Relations: The Soviet Union in World Politics, 1920-1982, (New York: Oxford University Press, 1983,) 122.

<sup>30</sup>Ibid., 123.

<sup>31</sup>Thomas L. Friedman, "Allies and East Bloc Back Arms Accord," New York Times, 15 June 1991, sec. A, p.3.

### C. SOVIET UNION PREVIOUS TREATY RATIFICATION PROCESS

The Soviets are currently working on a new constitution to replace the existing one which was adopted in 1977. The 1977 constitution contains several passages dealing with treaties. Each passage is legalistic and technical in nature, and is an attempt to codify international relations with socialist and non-socialist states. Until such time as a new treaty is adopted by the Soviet Union the 1977 constitution, with its modifications, is binding under international law.

The Soviets recognize their responsibilities under international law and pledge their adherence to international norms under Chapter 4 Article 29 of their treaty. It states:

“Relations between the USSR and other states are shaped on the basis of the observance of the principles of sovereign equality...of cooperation between states; and of the conscientious fulfillment of obligations arising from generally recognized principles and norms of international law and from treaties concluded by the USSR.”<sup>32</sup>

“...Treaties concluded by the USSR.” causes one ask the question; what position or who acts for the government in the capacity to legally enter binding agreements such as treaties? Unlike the U.S. constitution there is nothing in the Soviet constitution designating the position or person in which that power is vested. It is apparent that the General Secretary of the Communist Party has assumed such a role in the past.

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<sup>32</sup>USSR Constitution of 1977 reprinted in F.J. M. Feldbrugge, ed. The Constitution Of The USSR And The Union Republics: Analysis, Texts, Reports, (Germantown, Maryland: Sijthoff & Noordhoff, 1979), 90-91.

There are sections which describe in specific language how a treaty is ratified and enforced. Chapter 15, Article 121 describes the duties of the Presidium of the Supreme Soviet. Section 6 of that article states: "The Presidium of the Supreme Soviet of the USSR: 6) ratifies and denounces treaties to which the USSR is a party."<sup>33</sup> In addition, Chapter 16 sets forth the requirements of the Council of Ministers. The Council of Ministers exercises authority with respect to treaties under Article 131, clause 6 when it "takes measures to ensure the fulfillment of treaties of the USSR; confirms and denounces intergovernmental treaties."<sup>34</sup>

An interesting twist to the Soviet constitution is the right of republics to enter into treaties with "foreign states." Chapter 9, Article 80 describes this authority by stating:

"A union republic has the right to enter into relations with foreign states, to conclude treaties with them and to exchange diplomatic and consular representatives, and to participate in the activities of international organizations."<sup>35</sup>

However, republics are limited in their power to exercise this function by Chapter 8, Article 74. Article 74 is the clause which clearly distinguishes the power of the union over the republics. It says "The laws of the USSR have equal force within the territory of all the union republics. In the event of a discrepancy between the law of a union republic and all-union law, the law of the USSR prevails."<sup>36</sup>

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<sup>33</sup>Ibid., 137.

<sup>34</sup>Ibid., 145.

<sup>35</sup>Ibid., 115.

<sup>36</sup>Ibid., 111.

Republic Sovereignty and precedence of union law versus republic law are two issues of conflict which confront the Soviet government currently. Fourteen of the fifteen republics have passed declarations of sovereignty in a direct rebuff of the national government's policies. In an effort to quell the uprisings and hold the union together Gorbachev is pursuing a new union treaty. He has met considerable opposition in his attempts to forge ahead with a new form of federalism.<sup>37</sup>

There is a "chicken and egg" scenario involved in the pursuit of both a new constitution and a new union treaty. Obviously the major question is—Which one has to or should come first? Both involve political reform, but there is a much greater need for a union treaty in order to hold the country together.

This is just one of the issues that Gorbachev has had to deal with the past few years. The central government and the republics had essentially reached an impasse until April of this year. In April Gorbachev sat down with the leaders of nine union republics, including Boris Yeltsin, and signed a "joint" statement "stressing the urgency of stabilizing the political and economic situation in the country."<sup>38</sup> This group of leaders recognized the problem of whether or not to complete a union treaty or constitution first. One of the main points of the statement calls for the adoption of a new union treaty first and then within six months of the union treaty's signing a new constitution is to be implemented.<sup>39</sup>

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<sup>37</sup>Stephan Kux, "Soviet Federalism," Problems of Communism, Vol XXXIX, March-April 1990: 1-20.

<sup>38</sup>Roman Solchanyk, "The Gorbachev-El'tsin Pact and the New Union Treaty," Radio Liberty: Report On The USSR, 10 May 1991: 1-3.

<sup>39</sup>*Ibid.*, 4.

Regardless of which comes first a revised constitution and a new "federal" form of government will have a direct bearing on the final outcome of the transition from party organs to government institutions. This in turn will directly affect the treaty-making process. Gorbachev may be running out of time in implementing either of these crucial reforms. The Soviet population is anxious for solutions to their problems, and they are becoming ever more restless.

In this chapter, I have outlined some important aspects of international law in the treaty-making process and explained why they are important to understand as a basis for treaties between the U.S. and Soviet Union. In addition I examined the U.S. and previous Soviet treaty adoption processes with an eye toward how the Soviets will probably change to become similar to the U.S. Of course this is dependent on the outcome of the Soviet governmental reform that taking place. In the next chapter I will speculate on how I think this transformation and reform may turn out. In the following chapter I will make an explicit comparison between the U.S. process and the process I predict the Soviets will adopt.



#### IV. SOVIET GOVERNMENT IN TRANSITION

Before any speculation about the future Soviet treaty-making process can be made it is essential to postulate some form of governmental structure for the Soviet Union. This chapter will do just that by postulating four (4) possible outcomes of governmental reform. As I stated earlier it is my assumption the Soviets will end up with some form of pluralistic democracy. It is not my intention to describe in detail the future of Soviet governmental institutions; rather, it is part of my thesis that the Soviets will encounter problems which are indicative of democratic institutions as they become more open and democratic. More specifically, I am concerned about these problems and how they affect the Soviet treaty making process. My primary area of concern pertains to national security policy and planning, and how changes in the Soviet treaty making process will influence the negotiation and ratification of future arms control treaties.

##### A. THE ROAD TO REFORM

The road by which Gorbachev has chosen to reform the Soviet Union has neither been easy nor been traveled without difficulties. In all likelihood it is sure to become rougher in the future. His now familiar policies of perestroika, glasnost, and "new thinking" have attempted to reform a union on the brink of breakup. The driving force behind Gorbachev's pursuit of these policies is the imminent economic collapse of the country. Should a collapse of this magnitude occur it will lead to certain disintegration of the

Soviet Union as we now know it. On the other end of the spectrum lies virtual reintegration where a form of Stalinism would be revived.

The failure of the communist ideal, confirmed by the revolution of Eastern Europe in 1989 and 1990, had long been sought after by the United States and its western allies. A fundamental transformation of the Soviet political landscape has implications not only for the Soviet people, but also for U.S. decision-makers. The complexities and uncertainties of a Soviet domestic polity, awakened by Gorbachev, will confront the newly emerging Soviet governmental institutions.

Gorbachev's policies have shaken Soviet political organs at their very foundations. Most of the policies inaugurated by Gorbachev have introduced very fundamental alterations in Soviet policy formation. In many instances Gorbachev has opened "pandora's box", and in my view it will be next to impossible for him to retreat from the path of political reform. As of now it is unclear what path he has chosen; and at this point it would be extremely costly for him and the country, in both political capital and lives, to put the "genie" back in the bottle. The return to an old style Soviet Union is only a viable alternative if Gorbachev is removed from a position of power.

We are witnessing a remarkable event in the transformation of an unworkable form of government. It is quite uncertain what type of government will result during the transition phase and short term. I believe the long term outcome will ultimately result in some form of pluralistic democracy. However, this is not altogether certain. There are a wide variety of derivations which could eventually be arrived at by the Soviet Union.

Of course it is quite obvious that the Soviets are in a transition period and that the final outcome has yet to be determined. However, this does not mean U.S. policy-makers should stop anticipating and planning. There are a multitude of possible outcomes, but it is my desire to postulate and outline four (4) of the most likely end forms of Soviet government. In a later chapter I will further explore one in particular and what it may mean for the treaty ratification process.

Each of the four cases below has unique aspects with regard to future arms control negotiations. I have chosen to arrange them in ascending order of probability from least likely to most plausible. Of course this ranking is my opinion and others may envision a different priority of likelihood. However, it is relatively certain that there will be fundamental alterations in the present situation in the Soviet Union.

#### **B. CASE I (BREZHNEVISM REVISITED)**

First, there exists the possibility that Gorbachev will be forced to appease the moderate hard-liners and return to some modified form of totalitarian government. I think this is the least likely of any scenario because it would be a revisit to the most recent past. And virtually everyone in the Soviet Union realizes and knows that did not work. However, the possibility does exist.

If a crackdown occurs and the Soviets return to stricter governmental controls, the newly created government institutions will be adapted to fill the roles of the old ones. I label this scenario as "Only the name has changed." In this case, a body, with a charter similar to the Presidium established under the 1977 constitution, would be created to take the place of the Supreme Soviet.

This type of government organ would in effect rubber stamp any treaties entered into by the President.

The leaders of this type of government would most likely be moderate conservatives. The policies of this type of government would be marked by a sharp return to those similar to the late 1970's and early 1980's.

Although policies matter much more than personalities it is important to realize who could be the leading figure in such a government. It would probably be someone like Egor Ligachev. Ligachev is a conservative with moderate views. An analysis of his style of leadership is beneficial in helping to plan for working with this type of government. One scholar has described Ligachev's position in the following manner:

"...somewhat paradoxically, that Ligachev supports the cornerstones of **perestroika**—'reasonable' economic reform and new foreign policy thinking—but objects to 'the political component of Mr. Gorbachev's **perestroika**: **glasnost**' and democratisation, a reappraisal of the Stalinist past and the outspoken criticism of the Soviet system in some Soviet news media'."<sup>40</sup>

Furthermore, Ligachev has never publicly spoken out against perestroika.

"If Ligachev's political role can be assessed solely on the basis of his writings and public utterances, all rumor and speculation aside, then his views surely bespeak not conservatism but reformism—provided that reform is snugly wedded to Marxist-Leninist fundamentals in their broadest sense."<sup>41</sup>

All of this indicates that Ligachev would return some form of Brezhnevism to governmental institutions and policy. If this is the case U.S.

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<sup>40</sup>Jeffrey Surovell, "Ligachev and Soviet Politics," Soviet Studies, Vol. 43, No. 2, 1991: 355-374.

<sup>41</sup>Ibid., 367.

policy-makers have twenty plus years of negotiating history to use as models for decision-making.

### C. CASE II (STALIN REVIVED)

As I stated earlier I think it is nearly impossible to step back from reform, but if the Soviets do it could be catastrophic for the Soviet people and superpower relations. In my view if conservatives gain the upper hand on Gorbachev they will not stop at old-style Brezhnevism. Once in power the conservatives will move quickly to avert the breakup of the union. There is little doubt that the form of government and associated governmental and party institutions utilized under Joseph Stalin will be resurrected. In addition this is more likely than Brezhnevism because many people believe this is what the Soviet people really desire.<sup>42</sup> A return to hard core paternalism.

A move of this type would probably be led by someone in the Soyuz faction. Soyuz (or Union) is a group of Soviet legislators who oppose independence moves by secessionist republics. This does not make them Stalinists, but they have exhibited Stalinist' tendencies at times. They formed

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<sup>42</sup>This is a finding I arrived at after having reviewed a series of polls in the Foreign Broadcast Information Service (FBIS). I analyzed all political polls taken in the Soviet Union from January to June 1991 and found there are still about fifty percent of those people polled who still believe communism to be a viable form of government. However, there is a trend that indicates fewer people are advocating a return to "authoritarian solutions." "Public Polled on Political Issues," FBIS, 10 January 1991, 25. "Social Scientist Advocates 'Good Dictatorship'," FBIS, 25 January 1991 33; "Poll Shows Half of Country Rejects Communism," FBIS, 12 April 1991 37; "Poll Shows Communists' Confidence Reviving," FBIS 19 April 1991 30; "Results of Poll on Obstacles to Democratization," 21 May 1991 45; and "Poll Shows Fewer Favor Authoritarian Solutions," FBIS, 24 May 1991, 35.



as a group in 1990 and claim to have as members about one quarter to one third of the 2,250 members of the Congress of People's Deputies.<sup>43</sup>

The Soyuz faction does have close links to the military and KGB. In April of this year they held a conference in which they called for a national state of emergency and Gorbachev's ouster as President. Colonel Viktor Alksnis, a Soyuz leader, espoused the philosophy of Soyuz in a speech during the conference. He stated:

"When perestroika was declared in 1985, it was said we were in a pre-crisis states. Now, after six years of perestroika, the country- once a great power- is in a state of national catastrophe. Power is paralyzed now. The present leaders are incapable of changing the situation. They are just floating down stream. They don't control the situation. There is no way out other than a state of emergency...We went over the edge in condemning Stalin. I see how right Stalin was and realize he was really an intelligent man.'"<sup>44</sup>

Not everyone in Soyuz is of the same ilk as Colonel Alksnis and it is apparent that even they are having internal disagreements.<sup>45</sup> This is a troubling proposition for the Soviet people and international relations as a whole. Recent easing of superpower tensions would certainly take dramatic step backwards. Arms control would likely come to a screeching halt.

#### D. CASE III (MUDDLE ALONG)

The third possibility I would like to describe is sort of a catch all case. I have labeled it the "muddle along" case. In this scenario no group is able to

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<sup>43</sup>Elizabeth Teague, "The Soyuz' Group, " Radio Liberty: Report On The USSR, 17 May 1991, 16-21.

<sup>44</sup>Excerpts from Colonel Viktor Alksnis speech as quoted in news report. Fen Montaigne, "Hard-line Soviets demand tough rule," San Jose Mercury News, 21 April 1991, sec. A, p. 16.

<sup>45</sup>Teague, "The 'Soyuz' Group, " 20.

gain control. Neither the conservative nor the reformers can mount enough support to implement their agendas. This case is similar to Case I, but leaning more toward reform minded leaders.

In this instance governmental institutions are unlikely to break quickly from the past, yet in order to maintain their power-base they must adopt partial reforms. This is a very illegitimate type of government which is extremely inefficient. The introductions of piecemeal reforms will do nothing other than plunge the country farther into its ever deepening crisis.

Gorbachev is the most probable person to retain control of the government. However, he may end up as a sacrificial lamb at the altar of the increasingly frustrated Soviet people. At this point new leadership will arise to the top. Depending upon who it is they will move backwards to the right or forward in democratic reform. Either way this watershed will invoke rapid movement of consolidation of power part of the new leadership. Full reform would lead to a governmental structure similar to the model I will postulate in Case IV.

#### **E. CASE IV (FULL REFORM)**

As I stated earlier it is hard to put the "genie back in the bottle"; therefore, the next governmental model I will outline is the most probable final outcome of the reform which is being instituted. During the description of my predicted Soviet political system it may be helpful to refer to the Appendix A. This appendix is a set of schematic diagrams of the Soviet

government prior to 1989 and in transition in 1989 and 1990 as well as the most current revisions of 1991.<sup>46</sup>

One of the most significant steps of political reform was the creation of the Congress of People's Deputies (CPD) by the Supreme Soviet in December 1988.<sup>47</sup> Sensing the need for political reform Gorbachev began preparations for the new legislative body by holding a quasi-election for two-thirds of the seats in the body. The Congress held their first meeting in May 1989 and began a "shift of the political center of gravity from party bodies to the State legislature."<sup>48</sup> The initial proceedings of the Congress were televised and allowed the Soviet people to see first hand their government at work. This was completely new for them and they observed that "the proceedings of the Congress were often hectic and confused- a symbol of the difficulty of finding new ways of relating to one another in a freer society."<sup>49</sup> For an initial view of what the CPD looks like refer to Appendix B.<sup>50</sup>

One of the first items of business for the new Congress was to elect a leader and a new Supreme Soviet. Gorbachev was elected the Chairman the body (at that time technically the chairman of the Supreme Soviet), and about one-fourth of the Deputies "were chosen as members of the new, more

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<sup>46</sup>Appendix A is a set of diagrams which were originally provided by Captain Thomas Ellsworth, Lecture NS 3950, NPGS, Monterey, California: 17 November 1990. I have modified and changed them as changes have occurred in the government structure.

<sup>47</sup>Congress, House of Representatives, Committee On Armed Services, The New Soviet Legislature: Committee On Defense And State Security, Committee Print, 101st Cong., 2nd Sess., 11 April 1990, 1.

<sup>48</sup>Lars T. Lih, "The Transition Era in Soviet Politics," Current History, October 1989: 333.

<sup>49</sup>Ibid., 334.

<sup>50</sup>Reproduced from HASC print., 3.

independent Supreme Soviet.”<sup>51</sup> In an effort to further strengthen his Presidential power Gorbachev called for the establishment of a Presidential Council. The Congress amended the constitution and set-up a Presidential Council whose functions were “to devise ways to achieve the basic goals of domestic and foreign policy” and “ensure the country’s national security.”<sup>52</sup> This body essentially supplanted the Defense Council, The Politburo, and the Secretariat of the Central Committee. It should be noted that the Presidential Council filled only an advisory function and was later phased out in favor of stronger policy-making reform. However, it is important to understand that Gorbachev has continually strived for the right combination of governmental institutions in an effort to improve the decision-making process.

The evolution of such efforts are critical steps in understanding the path of reform. Gorbachev reenforced and strengthened the position of the Council at the 28th party Congress. He effectively weakened the Politburo and Central Committee to the point where he in essence “fenced off the decision-making process from interference by the Party.”<sup>53</sup> The Presidential Council consisted of advisors with varied backgrounds, and includes some members who are not members of the Communist party and others who are no longer members of the Politburo or Central committee.<sup>54</sup> It appears as

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<sup>51</sup>Lih, "The Transition Era in Soviet Politics," 334.

<sup>52</sup>Alexander Rahr, "From Politburo to Presidential Council," Radio Liberty: Report On The USSR, 1 June 1990: 1-5. The end of this article contains a list of the members of the Presidential Council.

<sup>53</sup>Rahr, "From Politburo to Presidential Council.", 2.

<sup>54</sup>Lars T. Lih, "Soviet Politics: Breakdown or Renewal?: Current History, October 1990: 309. Examples of these people included Aleksandr Yakovlev and Eduard Shevardnadze who both left their Politburo positions on the belief that the Presidential Council would give them a better and "more secure base of authority."



though Gorbachev may have been modeling the Presidential Council after the U.S. Cabinet.

The biggest step toward political reform took place in July 1990. The foundation for this step was laid in February and March 1990. In February a Central Committee plenum recommended that Article 6 of the Constitution be abolished.<sup>55</sup> This was followed in March by a Congress of People's Deputies adoption in principle of such an abolition.<sup>56</sup> These initial moves all culminated when Gorbachev told the 28th Congress of the Communist Party of the Soviet Union (CPSU):

"We believe that the [the party's] vanguard role cannot be imposed on society; this role can only be earned through an active struggle for the interests of the workers....The CPSU will carry out its policies and will fight to preserve its mandate as a governing party within the framework of the democratic process, and via elections to the legislative bodies in the center and on the periphery. In this sense, the CPSU acts as a parliamentary party."<sup>57</sup>

In December, 1990 the Congress of People's Deputies moved further down the path of reform by instituting "the third major overhaul of the

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<sup>55</sup>Article 6 of the 1977 Constitution ensured the CPSU a total grip on Soviet Society. It states:

"The Communist Party of the Soviet Union is the leading and guiding force of Soviet society and the nucleus of its political system and of [all] state and social organizations. The CPSU exists for the people and serves the people.

Armed with Marxist-Leninist doctrine, the Communist Party determines the general perspective of the development of society and the course of the domestic and foreign policy of the USSR, directs the great creative activity of the Soviet people, and imparts a planned and scientifically-sound character to their struggle for the victory of communism.

All party organizations function within the framework of the Constitution of the USSR."

<sup>56</sup>Vera Tolz, "The Emergence of a Multiparty System in the USSR," Radio Liberty: Report On The USSR, 27 April 1990: 5-11.

<sup>57</sup>Giulietto Chiesa, "The 28th Congress of the CPSU," Problems of Communism, Vol XXXIX, July-August 1990: 24-38.



Soviet political system in two years.”<sup>58</sup> In order to begin extricating themselves from a stalemate in the executive branch the legislature set-up four new institutions: the vice presidency, a revamped Council of the Federation, the Cabinet of Ministers, and the Security Council.

The vice presidency was created to “assist the president in the performance of his duties as chairman of the Council of the Federation, The Defense and Security Councils, and the Cabinet of Ministers.”<sup>59</sup> In addition, the vice president carries out the president’s duties if he is incapacitated, and the vice president would take over as the head of state if the president dies. Unlike the U.S. system the vice president would only serve as president until such time as a new president is elected<sup>60</sup>

The Council of the Federation, originally created in March 1990, was restructured to include the leaders of the autonomous republics as well as the union republics. In an effort to stem the breakaway movement among the republics Gorbachev agreed “to upgrade the Council of the Federation from a consultative to a policy-making body.”<sup>61</sup>

“[It]...coordinates the activity of the supreme organs of state management of the Union and the republics, monitors observance of the Union treaty, determines measures to implement the Soviet states’ nationalities policy, ensures the republics’ participation in the solution of questions of all-Union significance, and adopts recommendations on the solution of disputes and the settlement of conflict situations in interethnic relations.”<sup>62</sup>

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<sup>58</sup>Alexander Rahr, “Further Restructuring of the Soviet Political System,” Radio Liberty: Report On The USSR, 5 April 1991: 1-4.

<sup>59</sup>*Ibid.*, 2.

<sup>60</sup>*Ibid.*

<sup>61</sup>*Ibid.*

<sup>62</sup>*Ibid.*; Reprinted from Chapter 15/2, Article 127/8 of the amended USSR constitution.

This broad charter draws into question how much of an impact will individual republics have on foreign policy, and specifically the treaty-making process. It appears it may not be much and that the upgrading of the Council from a consultative body to a policy-making body is window dressing for the republics. The change was meant to be a "recognition of the enhanced role of the republics in a renewed federation."<sup>63</sup> How much of an affect this will have on foreign policy decisions remains a question.

The most important function of the council will be to hold together the union. It is quite evident that Moscow is attempting almost any shift in governmental structure to accomplish this goal. This will be most difficult task. The council will play a big part in this by making and enforcing its own decisions.

"...the purpose of the change was not so much to give the republican leaders a role in decision-making at the center as to make them responsible for implementing the decisions reached by the council, the hope being that this would put an end to "the war of laws" and general disregard for all-Union decrees. A new article added to the constitution states that a member of Council of the Federation ensures the implementation of council's decisions in the relevant republic and monitors the execution of these decisions."<sup>64</sup>

Once again of particular importance will be how much influence or interference this will cause with the legislature and executive in the foreign policy arena. I will explore the treaty-making aspect of this more in Chapter V.

Along with the new change to the Council of the Federation the new Security Council replaced the now "defunct" Presidential Council and will

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<sup>63</sup>Ann Sheehy, "Council of the Federation to Be Abolished?," Radio Liberty: Report On The USSR, 21 June 1991, 1-4.

<sup>64</sup>Ibid., 2.

serve as "a consultative organ under the president."<sup>65</sup> The Council will be composed of nine members and "will operate along the lines of the U.S. National Security Council."<sup>66</sup>

"...is entrusted with elaborating recommendations on implementing all-Union policy in the sphere of the country's defense; maintaining its reliable state, economic, and ecological security; eliminating the aftermath of natural disasters and other emergency situations; and ensuring stability and law and order in society."<sup>67</sup>

In addition to the above duties the Security Council will supervise the actions of the Defense Council.<sup>68</sup> It is not known if this is part of the military reform initiatives or if it is another method in which the civilian sector of government is asserting its control over the military.

The fourth organ created was the Cabinet of Ministers which replaced the abolished Council of Ministers. The cabinet is to be responsible for many vital all-Union functions. It will be comprised of the prime minister (at its head), the deputies to the prime minister, and the USSR ministers. Additionally, the heads of the republican and autonomous republican governments may participate in Cabinet functions and each has the right to vote on matters before the Cabinet.<sup>69</sup> There may be overlap here with the Council of the Federation and I can foresee future problems with conflicts of interest.

Mikhail Gorbachev is in the midst of dismantling 70 years of communist rule in hopes of maintaining a union and reforming a government. The

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<sup>65</sup>Ibid., 3.

<sup>66</sup>Ibid.

<sup>67</sup>Ibid.; Reprinted from Chapter 15/1, Article 127/3 of the amended USSR constitution.

<sup>68</sup>Ibid.

<sup>69</sup>Ibid., 3-4.

government structure is very much in a state of flux. It is difficult to make analogies with previous government transformations of the Soviet Union or any other country. The Soviets are searching for legitimization for a government which has existed only through oppression and terror. They are tearing down old party structures and replacing them with government institutions in hopes of creating a better form of government.<sup>70</sup>

Of course no one knows what the eventual outcome of the Soviet governmental reform will be. But, it is important to think in terms of possibilities and what each may mean for U.S. policy-makers. The other crucial issue, which I will address in the next chapter, is that there is really no conceivable way the Soviet Union will remain a unitary actor in international relations should it evolve into some form of a democracy. That would only be possible if the Soviets chose to return to a style of government similar to one of my first two cases.

This chapter has shown only four possibilities for reform in the Soviet Union. They are not all inclusive, but do cover the spectrum of options. However, Gorbachev's restructuring of government does lend itself to move closer to full reform. In the rest of my analysis I will assume that this is the path that the Soviet Union will choose. In the next chapter I will further elaborate on my Case IV and what it could possibly mean for arms control treaty negotiation and ratification.

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<sup>70</sup>Refer to Appendix A.

## V. IMPLICATIONS FOR U.S. PLANNING AND NEGOTIATIONS

In the previous chapter I postulated four possible outcomes for Soviet governmental reform. This chapter will elaborate further on the Case IV scenario government with specific emphasis on arms control treaty negotiations and ratification of any subsequent treaties. In addition, it will examine the U.S.-Japanese relationship in an effort to ascertain possible lessons for interacting with a democracy.

However, first it is important to understand the basic relationship between foreign and domestic policies and why democracies have unique characteristics in this realm. This in turn will help lead to answers to my questions concerning negotiations and agreements between democracies. It is fair to say that most policy-makers have believed in the past that democracies cooperate and get along even in areas where their interests may have diverged.

"Even though liberal states have become involved in numerous wars with nonliberal states, constitutionally secure liberal states have yet to engage in war with one another. No one should argue that such wars are impossible; but preliminary evidence does appear to indicate that there exists a significant predisposition against warfare between liberal states....Politically more significant, perhaps, is that, when states are forced to decide, by the pressure of an impinging world war, on which side of a world contest they will fight, liberal states wind up all on the same side, despite the real complexity of the historical, economic and political factors that affect their foreign policies."<sup>71</sup>

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<sup>71</sup>Doyle, "Kant, Liberal Legacies, and Foreign Affairs," 213, 217.



With the Soviet Union a democracy, the common enemy of western democracies in the post World War II era, a common enemy would be nonexistent. That is not to say another one would not manifest itself. But if one does not arise from the international backdrop the tensions that exist between democracies may come to the forefront of democracy to democracy relations. I believe decision-makers are beginning to realize this may in fact happen more often in the post cold war world.

## A. NEGOTIATIONS ON TWO FRONTS

As I related in Chapter II democracies are systems of governments that are difficult to define and categorize. Each can take on a different slant, but all are filled with a variety of domestic sources which affect policy. These variables can at times cause a democracy to send very mixed foreign policy signals. This in turn may cause other nations to misinterpret or become misled by unclear intentions. It is a truism in democracies that governments are not unitary actors.

It is widely recognized by scholars now that foreign and domestic policy is somehow inextricably intertwined. In recent work in this field Robert Putnam identifies four schools of thought on the phenomena of "domestic-international entanglement."<sup>72</sup> Those four schools are:

- =linkage politics, (James Rosenau);
- =regional integration, (Karl Deutsch and Ernst Haas);
- =bureaucratic politics, (Graham Allison); and,

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<sup>72</sup>Robert C. Putnam, "Diplomacy and domestic politics: the logic of two-level games," International Organization, Summer 1988: 427-460.

=structural, (Peter Katzenstein and Stephen Krasner.)<sup>73</sup>

Putnam is aligned with the "structural" school and its "state strength" concept. However, he sees shortcomings of this school and contends there must be:

"A more adequate account of the domestic determinants of foreign policy and international relations must stress **politics**: parties, social classes, interest groups (both economic and noneconomic), legislators, and even public opinion and elections, not simply executive officials and institutional arrangements."<sup>74</sup>

In doing so he says:

"...we need to move beyond the mere observation that domestic factors influence international affairs and vice versa, and beyond simple catalogs of instances of such influence, to seek theories that integrate both spheres, accounting for the areas of entanglement between them."<sup>75</sup>

At present this type of analysis is more important then ever before. On one hand it is deeply gratifying to U.S. policy-makers that the end of the cold war vindicated American foreign policy. On the other hand the international security environment is more diverse and complex. An appreciation of the intermeshing of domestic and foreign policy is a must for policy-makers in this new international paradigm.

No longer are U.S. leaders dealing with totalitarian governments who seemingly speak with one voice. That is not to say that they did not have disagreement and dissent before. Quite the contrary the disagreement was there, but behind closed doors. Consequently at international forums and

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<sup>73</sup>Ibid., 430-432.

<sup>74</sup>Ibid., 432.

<sup>75</sup>Ibid., 433.

negotiations those governments appeared to speak as unitary actors. Thus, U.S. policy-makers were not as much concerned with the internal bargaining of a nation. There is little doubt that this issue has to be at the forefront of the list of concerns for U.S. negotiators in any further negotiation and agreements.

It is Putnam's hypothesis that this phenomena can be analyzed by his metaphor of "two-level games."

"The politics of many international negotiations can usefully be conceived as a two-level game. At the national level, domestic groups pursue their interests by pressuring the government to adopt favorable policies, and politicians seek power by constructing coalitions among those groups. At the international level, national governments seek to maximize their own ability to satisfy domestic pressures, while minimizing the adverse consequences of foreign developments. Neither of the two games can be ignored by central decision-makers, so long as their countries remain interdependent, yet sovereign....The political complexities for the players in this two-level game are staggering. Any key player at the international table who is dissatisfied with the outcome may upset the game board, and conversely, any leader who fails to satisfy his fellow players at the domestic table risks being evicted from his seat. On occasion, however, clever players will spot a move on one board that will trigger realignments on other boards, enabling them to achieve otherwise unattainable objectives."<sup>76</sup>

U.S. decision-makers are fully aware of the game with two tables because they have had to play it for many years. However, these same people sometimes fail to recognize this condition exists for the people sitting across from them at the international table. It is the heart of this thesis to apprise decision-makers of the possibility of this phenomena happening in arms control negotiations with the Soviet Union as its government evolves into some form of pluralistic government.

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<sup>76</sup>Ibid., 434.

As I stated earlier I do not fully subscribe to the concept that democracies do not fight. "Liberal states have not escaped from the Realists' 'security dilemma,' the insecurity caused by anarchy in the world political system considered as a whole."<sup>77</sup> Therefore, in my view arms control is still a necessary national security objective. "Two-level" game theory will help decision-makers understand the process of liberal democracies in foreign affairs much better. With this in mind the question arises--Is there anything that can be learned from prior dealings with another democracy?

## **B. ANALOGOUS NEGOTIATIONS**

It is when governments are pluralistic and open that the conditions I have described are most prevalent. There are several key elements which are inherent in a pluralistic form of government each of which can be responsible for difficulties on both sides. These political elements created by a democracy to make it representative of the people also cause a great deal of consternation in reaching an internal consensus to present at a international negotiating table.

Every element of a democratic society has a role to play and each is important in the functioning of society. Putnam was correct in his description of "domestic determinants of foreign policy." Those determinants are exactly the key elements I am not sure U.S. negotiators recognize the other side as having. Perhaps there are areas where these elements have been involved on the other side. It is my view that this has happened in our relationship with Japan. The U.S.-Japanese relationship

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<sup>77</sup>Doyle, "Kant, Liberal Legacies, and Foreign Affairs," 232.

provides decision-makers with a history of analogous negotiations that can be studied as a model for possible use with the new Soviet Union. The interaction and end result of this model may provide policy-makers with new and unique viewpoints of analyzing democracy to democracy relationships.

### 1. U.S.- Japan Case

The U.S. approach to future arms control negotiations with a new Soviet system of government may be derived from our past and present trade and security negotiations with Japan. Japan is an ally who is considered to have a democratic system of government and is at odds with the U.S. over many issues. Some people may argue that Japan does not possess a democratic system of government. However, if one looks back at my definition of democracy in Chapter II, Japan's system of government does conform within that definition.

The examination of this relationship may shed light on how we can make the most in confronting new problems and achieving success with new opportunities in the case of arms control with the reformed Soviet governmental structure. In many ways the government structure arrived at by the Soviet Union may be very close to Japan's governmental make-up. It is unlikely that the Soviets will become as liberal as the United States or Great Britain. Yet, they as I have said they will undoubtedly liberalize a great deal relative to where they have come from.

Political power in the Soviet Union has been vested in the party for so long that it virtually has directed every aspect of life. In order to conduct such a operation the party developed a huge bureaucracy that pervaded Soviet



society. Democracies also utilize bureaucracies to manage government, but in a different way than a totalitarian government. However, as the Soviet Union continues to transition into a pluralistic form of government the bureaucracy will be carried along in some aspect. The new form of Soviet bureaucracy may be very similar to how some scholars describe the Japanese system. The term "authoritarian bureaucratic state" aptly describes the Japanese now and may describe the Soviet Union in the future.<sup>78</sup> Regardless of who is in power in either country there will be a tremendous bureaucracy to manage the every day affairs of a functioning liberal democracy.

Considering the U.S.-Japanese relationship as a democracy to democracy one of the question that arises is— How has the United States dealt with this type of relationship in the past? The answer to this question is not as obvious as it might seem. What has often been called "The most important bilateral relationship in the world today..."<sup>79</sup> is also undergoing change. The glue that has held this relationship together has been weakened.

"...the bilateral relationship is becoming unstable because of the erosion of the three premises on which it rested: the consensus on the common threat of Soviet military power and Communist ideological appeal; the implicit and accepted pecking order in which the United States was the dominant player militarily, economically and politically and Japan the junior partner; and the mutual respect and reasonable harmony between the political elites of the two societies."<sup>80</sup>

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<sup>78</sup>Karel van Wolferen, The Enigma Of Japanese Power, (New York: Alfred A. Knopf; 198), 33. van Wolferen utilizes this term to point out that there is a great deal of power vested in the bureaucracy in Japan. In this book he is trying to determine who in Japan runs the country. In addition, he provides an excellent description of who the Japanese are as a nation.

<sup>79</sup>Mike Mansfield, "The U.S. and Japan: Sharing Our Destinies," Foreign Affairs, Spring 1989: 3-15.

<sup>80</sup>Michael Nacht, "The U.S. and Japan: Building a New Relationship," Current History, April 1991: 149.

With the underpinnings of the relationship eroded away the weaknesses that have been there have come and will continue to come to the surface. Both the security and trade components of the relationship have flaws that have and will continue to cause both sides to come to loggerheads over many aspects. These two components of the relationship have been debated for quite some time by both sides, but are now threatening to boil over at a much faster rate.

A great deal of the friction in the U.S.-Japanese relationship stems from the notion that Japan is a "free rider." This notion has been around since the late 1960's and has become a major source of contention between the two countries.

"The United States has tried to get Japan to contribute to the protection of its own security since the end of the Occupation. However, the benefits Washington perceived it was receiving enabled defense-related tensions to be kept under control. But as Japan's economy prospered (partly at the expense of the United States), the cost-benefit ratio became increasingly suspect. The "free ride" argument, an accusation that Japan was not doing its fair share, began to be heard more and more frequently in the United States. Both Americans and Japanese recognized the problems the other side was experiencing as a result of diverging interests, changing circumstances, and a widening perceptual gap.

Some Japanese have recognized the merits of the free ride argument almost as long as have many Americans. Until the late 1970's, however, it was considered imprudent for a Japanese public figure to be forthright and to suggest that Japan was getting an excellent deal; such talk was essentially taboo. The inhibitions, many of which persist, fell slowly. Were it not for repeated U.S. pressures, which cracked the facade, as well as some early candid, if guarded, admissions by Japanese officials, the chances are that those taboos would still exist. Typical of these officials was former Japan Defense Agency (JDA) Director General Sakata Michita's statement in 1975 that 'security for Japan up to now has been like sunshine and water. When there is plenty, people take it for granted.' Such circumspect acknowledgement of the validity of the free ride argument opened the

way for a continuing national debate in Japan beginning in the late 1970s, the outcome of which is still unresolved."<sup>81</sup>

"Free ride" or not the U.S. and Japan have increasingly come to differences on a number of issues. During the 1980's the economic aspect of the relationship over took the security component as the most hotly contested issue. The United States' huge trade imbalance with Japan caused a series of negotiations and resulting agreements to occur.<sup>82</sup> However, at first both countries embarked upon "voluntary" and "unilateral" actions to avoid serious confrontations.<sup>83</sup>

These self-help steps by both countries has done little to lesson the fervor and pressure on each side. "Japan bashing" and "U.S. bashing" has resulted from pressure groups in both countries. These attitudes worry leaders in each country and close attention is paid to opinion polls that are conducted periodically. Public sentiment in a July 1990 poll showed that each country thought the other was its biggest competitor and threat, but is also indicated that there was a general feeling of friendliness and recognition of mutual interests.<sup>84</sup>

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<sup>81</sup>Edward A. Olsen, U.S.-Japan Strategic Reciprocity: A New-Internationalist View, (Stanford, California: Hoover Institute Press, 1985), 11-12.

<sup>82</sup>Clyde V. Prestowitz, Jr., Trading Places: How We Allowed Japan to Take the Lead, (New York: Basic Books, 1988). This book, written by a former trade negotiator in the Reagan administration, offers valuable insight about the dealings of some of the most recent U.S.-Japan trade negotiations.

<sup>83</sup>Stephen D. Cohen, "United States-Japanese Trade Relations," Current History, April 1991: 152.

<sup>84</sup>Michael Oreskes, "Americans Voice Worry on Japan; Tokyo Softens," New York Times, sec. A, p. 7. As a side-note this poll indicated a significant shift in American attitudes about the Soviet Union. The Soviet Union's military power fell well behind Japan's economic power as the number one perceived threat to America.

It is quite clear public opinion pays a part in foreign policy. The Japanese are not taking U.S. public opinion lightly. Tetsuya Tsudushi, a television anchor in Tokyo, hinted at a "changing attitude" in Japan based on American demands for "more open markets and internal reform of the Japanese economy."<sup>85</sup> However, the Persian gulf crisis may have reversed some of the good feelings acquired after the 1990 trade talks and concessions. Japan's proportionally small participation in the allied coalition may have "deepened the rift" between the U.S. and Japan even more.<sup>86</sup>

As with arms control there are other factors besides public opinion involved in shaping trade policy. In the U.S. the Congress is pressured by a variety of interest groups who see the Japanese as a threat. In addition these groups are concerned about their own economic well-being and the trade imbalance. Responding to the concerns of these interest groups Congress passed the Omnibus Trade and Competitive Act of 1988.<sup>87</sup> This law was aimed at supporting U.S. businesses across the board with many nations, but it was undoubtedly aimed at Japan.

The most controversial part of the new law was the modification to provision 301 of the Trade Act of 1974. "Super 301", as it is called, is direct Congressional pressure on the executive branch to impose deadlines on other countries to correct "unreasonable" or "unjustifiable" barriers of American imports.<sup>88</sup> Japan reacted strongly to this U.S. action, but avoided U.S.

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<sup>85</sup>Ibid.

<sup>86</sup>Carla Rapport, "The Big Split," Fortune, 6 May 1991: 38.

<sup>87</sup>I.M. Destler and Michael Nacht, "Beyond Mutual Recrimination: Building a Solid U.S.-Japan Relationship in the 1990's" International Security, Winter 1990/91: 92-119.

<sup>88</sup>Ibid., 105.



retaliatory action by agreeing to a series of bilateral agreements, and enjoining the U.S. in talks labeled the Structural Impediments Initiative.<sup>89</sup>

This all may seem fairly straight forward, but a deeper look reveals there was much more involved on both sides. Besides public opinion, interest groups, and Congress the U.S. position was influenced by a diverse group of opinions in the administration. This statement may not be entirely accurate in who has the correct national interest in mind, but it illustrates the diversity in even one branch of government.

"The State Department, the National Security Council and parts of the Defense Department tend to argue that commercial issues are secondary to the larger goal of preserving the political and military alliance with Japan. The Treasury Department, the Council of Economic Adviser, and the Office Management and Budget view themselves as the defenders of the free market and opponents of any official intervention to determine the composition of trade flows. These two sets of forces are pitted against the third bureaucratic version of what is truly in the United States national interest-the trade hawks. The Office of the United States Trade Representative, the Commerce Department, and those parts of the Defense Department worried about increasing dependence of United States weapons systems on Japanese electronics components view themselves as the spokespeople in government for both a largely battered, misunderstood American industrial sector and for a more decisive, aggressive, and consistent trade policy (bilaterally and multilaterally)."<sup>90</sup>

In Japan it is really not that much different. As already mentioned public pressure plays an important role. In addition to the formal organs of power, the Diet (legislature) and ministries, the Japanese leaders must deal with a multitude of interest groups both within and out of government.<sup>91</sup>

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<sup>89</sup>Ibid., and Cohen, "United States-Japanese Trade Relations," 154.

<sup>90</sup>Cohen, "United States-Japanese Trade Relations," 186.

<sup>91</sup>Masao Sakurai, "Formulators And Legislators Of International Trade And Industrial Policy in Japan And The United States," chapter in The U.S. Japanese Economic Relationship: Can It Be Improved?, ed. Kichiro Hayashi, (New York: New York University Press, 1989): 160-193.



One of the biggest is the keiretsu, or industrial group, composed of the leaders of Japan's major industrial firms who meet on a regular basis to discuss trade and industrial policy.<sup>92</sup>

The agreements Japan made with the U.S. in 1990 to stem the imposition of "Super 301" action stirred quite a few Japanese interest groups up. Small businessmen, and consumers were all upset over the "concessions" Prime Minister Toshiki Kaifu made.<sup>93</sup> Additionally, Japanese farmers remain upset over possible concessions at the Uruguay Round of the General Agreement on Tariffs and Trade (GATT),<sup>94</sup> and with U.S. pressure on Japan to open up its lucrative rice market.<sup>95</sup> Furthermore, the Japanese administration has its own internal differences on how to handle the trade issue. Prime Minister Kaifu and his Cabinet Ministers, specifically the Minister of International Trade and Industry (MITI) have been "split" over a number of aspects of the Japanese bargaining position on trade.<sup>96</sup>

For the most part Japanese policy-making appears to run "along the classic lines of the bureaucratic politics model of decision making."<sup>97</sup> This is both good to know and good to remember as we begin to plan for future arms control agreements with the Soviet Union.

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<sup>92</sup>Rapport, "The Big Split," 46.

<sup>93</sup>"Japanese Merchants, consumers decry trade concessions to U.S.," San Jose Mercury News, 7 April 1990, sec. A, p. 18.

<sup>94</sup>Sam Nakagama, "In Japan, Farm Supports Prop Up more Than Farms," New York Times, 13 July 1990, sec. A, p.11.

<sup>95</sup>Paul Blustein, "U.S. rice display in Tokyo has Japanese Boiling Mad," San Jose News, 16 March 1991, sec. F. p.9.

<sup>96</sup>Lewis M. Simons, "Kaifu, Cabinet split on Trade," San Jose Mercury News, 2 April 1990, sec. A, p.1.

<sup>97</sup>Cohen, "United States-Japanese Trade Relation," 186.

It is my hope that my brief description of the U.S.-Japanese relationship will cause U.S. policy-makers to look at it for help in dealing with the new pluralistic based Soviet governmental structure. Of course there is no specter of an agreed upon enemy or "free rider" concept in the U.S.-Soviet case, but never-the-less the fundamental aspects of democracy to democracy negotiations will be applicable. That is to say what is most important is to observe what affects what in this type of relationship. With this in mind I will try to provide some insight into future arms control agreements with the Soviet Union in my next section.

### **C. CASE IV SOVIET GOVERNMENT**

#### **1. Probable Future Soviet Treaty Negotiation and Ratification Process**

The process by which the Soviet Union negotiates, enters into, and ratifies future treaties really depends on the type of government they end up adopting. In Chapter IV I postulated four (4) possible forms of future Soviet government. In this chapter I will assume Case IV (democratic pluralistic based) is the most likely outcome of further government reform. Therefore, I will analyze how this particular form of government may influence arms control negotiations and agreements. Most specifically I will explore the political intricacies involved in the treaty negotiation and ratification process.

In researching this section I interviewed three (3) Soviet scholars, one (1) Soviet diplomat, and one (1) U.S. Soviet expert. In addition, I explored U.S. literature on the arms control process with a specific eye on who and what influences and shapes the process. Soviet literature is just now becoming available and will prove to be valuable in the future.

I think one could superimpose the U.S. system of government (President, Congress, Cabinet Departments, States, MIC, Public, etc.) on Appendix A and draw many comparisons. These comparisons will be helpful in comprehending what I expect will be the future of Soviet treaty negotiation and ratification. I will attempt to parallel my Soviet treaty-making comparison along the lines of U.S. government institutions. This will assist me in explaining the injection of treaty and arms control problems in a new pluralistic Soviet government.

Of course no one really knows what the Soviet Union's final government will look like or when it will be arrived at, but it is important to have something to plan from. I have utilized a comparison methodology in analyzing possible outcomes in hopes of stimulating thinking in this area. However, I realize one must be many because mirror-imaging has shortcomings. It is not my intent to draw straight comparisons. I am merely using the comparisons to make U.S. planners aware of potential problems and opportunities in future arms control agreements.

As with any set of international bargaining arms control involves a two-front process.

"Modern international arms control is a process involving two sets of parallel negotiations which are both crucial to the outcome of attempts by states to enter into arms control security relationships. On the one hand, there are the bilateral or multilateral negotiations between the states themselves, such as the SALT talks or the negotiations for the NPT. On the other hand, there is the debate and bargaining within states both as to the negotiating strategy and tactics to be employed at the international talks and that relating to the domestic wheeling and dealing which is required in order to produce a majority behind the eventual agreement. It

is not always obvious that the international aspect is the more important of the two."<sup>98</sup>

Just as in trade, this two front process can be convoluted and complex. In the Soviet Union's case there could be nothing closer to the truth. As I pointed out in Chapter IV the evolution of the government is nowhere near complete or without its share of difficulties. One of the main problems is finding the right way to break with the past.

It is hard to replace 70 plus years of communism without experiencing resistance from those who wish to maintain the old system. Many of Gorbachev's problems stem from the fact that at times he has dismantled the old structure without replacing it with anything new to do its critical functions.<sup>99</sup> As one can observe by reviewing Appendix A Gorbachev is attempting to replace outmoded party structure with new governmental structure.

As I stated in Chapter IV the Congress of People's Deputies was formed in 1988 as one of the first new governmental structures. As a legislative body it is just beginning to find its role in the new system of government. Their biggest problem in the arms control and treaty areas is their lack of expertise and experience.<sup>100</sup> Presently most of the expertise and power for treaty ratification lies in the hands of the Supreme Soviet (Standing Body, Upper Chamber of Parliament).<sup>101</sup> However, there is a push by the Congress of

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<sup>98</sup>Sheehan, Arms Control, 83.

<sup>99</sup>Ellsworth.

<sup>100</sup>Vladislav Zubok, "USSR Ratification Process," Institute of U.S. and Canadian Studies, unpublished paper presented at Stanford University 9 December 1990.

<sup>101</sup>Arseny Berezin, Interview by Lt. Randall Hendrickson, 14 December 1990.



Peoples' Deputies to have all treaties approved by them.<sup>102</sup> This has not happened yet. Most recently the Supreme Soviet exercised its power when it ratified the German reunification treaty.<sup>103</sup>

There are 2250 members of the Soviet Congress compared to 100 members of the U.S. Senate. This fact alone may multiply the problems of treaty ratification. However, the Soviets are aware of this potential problem and are forming committees the Supreme Soviet which has only 542 member. These committees have been formed to deal with the intricacies of foreign policy of which a subset is arms control treaties. The committees which have been setup have responsibilities in a wide variety of arenas. The Council of the Union and the Council of Nationalities have set up several joint committees which are associated with arms control and defense. They include: Committee for Defense and State Security (DSSC) (dominated by the military), Committee for International Affairs, and Committee for Veteran and Invalid affairs.<sup>104</sup> Additionally the Council of the Union has Planning, Budget and Finance commissions which will undoubtedly become involved and in the defense arena.<sup>105</sup>

Appendix B is an outline of the Soviet legislature and its Committee make-up.<sup>106</sup> In addition, I am not sure the final grouping of these committees has been determined and there may well be more committees established to

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<sup>102</sup>Ibid.

<sup>103</sup>"Soviets Ratify Pact on German Reunification," Los Angeles Times, 5 March 1991, sec. A, p. 4.

<sup>104</sup>HASC print; and Stephen Foye, "U.S. Congressional Report on Soviet Committee for Defense and States Security," Radio Liberty: Report On The USSR, 11 May 1990, 6-8.

<sup>105</sup>HASC PRINT.

<sup>106</sup>Reproduced from the HASC Committee print,3.



deal with emerging issues. It is known that the DSSC is composed of 43 members and is modeled after the U.S. House Armed Services Committee.<sup>107</sup> But it is not much like the HASC yet.

"Matters pertaining to defense and state security have always been shrouded in secrecy in the Soviet Union, without even a pretense of public participation. The old USSR Supreme Soviet did not have a commission for defense or state security....There is an extreme bias not only towards the military-industrial-Party-security complex but also against the Union republics."<sup>108</sup>

This one-sided composition of the DSSC has come about due to a lack of expertise by members of the Soviet Congress. They have been forced to look for outside sources of information and advice. In doing so some of the members and staff have turned to the military for consultations.<sup>109</sup> I have discovered little is known about how the Soviet military approached ratification of arms control treaties in the past. During the negotiations and eventual ratification of SALT I there was a brief glimpse of Soviet political-military relations. It is not clear how the Soviet military affected the outcome of the treaty, but there has been some analysis of their probable role.<sup>110</sup> However, it is particularly significant that military members are allowed to be elected as members of the legislature. This may double the complexities of the military as a special interest group with a voice on arms control

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<sup>107</sup>Ibid., 4.

<sup>108</sup>Mikhail Tsypkin, "The Committee for Defense and State Security of the USSR Supreme Soviet," Radio Liberty: The Report On The USSR, 11 May 1990: 8-11.

<sup>109</sup>Zubok.

<sup>110</sup>Raymond L. Garthoff, "The Soviet Military and SALT," chap. in Soviet Decision making for National Security, Jiri Valenta and William Potter, eds. (Boston: George Allen & Unwin, 1984): 136-161.

negotiation and treaty-making. Additionally, it is unlikely that the military will be restricted from legislative membership in the near future.<sup>111</sup>

From a U.S. perspective SALT I brought about a domestic debate that provides us with an insight into what it takes to obtain military support for an arms control treaty. JCS support for SALT I hinged on the approval of Congress (U.S.) of accelerated B-1 bomber and Trident programs.<sup>112</sup> There is little doubt the Soviet military will make their influence felt by adopting a similar sort of barter attitude. This will be an important factor as the military is scaled down and reformed in the Soviet Union.

At the same time the Congress is looking to the military for help, the Soviet executive branch is asserting measures aimed at drastic military reform. Gorbachev is supporting a reform package aimed at restructuring the Soviet military from top to bottom. He is striving for complete civilian control over the military. This could mean no more military members of Congress, and that the military would serve the executive and legislative branches in "only a consulting role."<sup>113</sup>

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<sup>111</sup>Yuri V. Urbanovich, Interview by Lt. Randall Hendrickson, 3 April 1991.

<sup>112</sup>Sean M. Lynn-Jones, "Lulling and Stimulating Effects Of Arms Control," chap. in Superpower Arms Control: Setting the Record Straight, Albert Carnesale and Richard N. Haass, eds. (Cambridge, Massachusetts: Ballinger Publishing Company, 1987), 251-252.

<sup>113</sup>Berezin. In order to fully understand the motives behind the reform of the military I think it is necessary to analyze Gorbachev's policies regarding "New Thinking". The following two articles provide excellent descriptions and analysis of the Soviet policy. Seweryn Bialer, "'New Thinking' and Soviet foreign policy," Survival, Vol. XXX, No. 4 July/August 1988: 281-309; and Raymond L. Garthoff, "New Thinking in Soviet Military Doctrine," The Washington Quarterly, Summer 1988: 131-158.

If this reform is successful we may see a solidification of the Soviet version of the Military Industrial Complex (MIC).<sup>114</sup> Among hard-liners and certain military leaders there is a deep desire to fight for their status in society, as well as to push for the continuance of some weapons programs. This quite possibly could include industries and weapons programs that will help ensure the "old guard" will maintain positions of power.

As I indicated in Chapter IV Gorbachev's biggest challenge from the right continues to come from the military dominated Soyuz faction. Soyuz has been joined in their efforts by the KGB and the police.<sup>115</sup> Additionally, considering the make-up of the DSSC, "it is not surprising that the Committee for Defense and State Security has been reluctant to tackle reform of the major national security institutions--the armed forces, the defense industry, and the KGB."<sup>116</sup> It is my contention that the farther the military feels alienated from decision-making the more they will take the trade-off approach in the arms control arena much like the U.S. military. This method of lobbying will facilitate them in maintaining some of their programs and policies over the insistence to cut them by others.

But on both sides of the ocean the end of the cold war has brought two other factors into play in this trade-off game. In the U.S. the decline of the Soviet Union as a threat has raised the call from many corners to scale back

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<sup>114</sup>Zubok; Urbanovich; and John Tedstrom, "Managing the Conversion of the Defense Industries," Radio Liberty: The Report On The USSR, 16 February 1990: 11-18. As with the U.S. there is no clear cut definition of the Ministries, Industries, or groups who make-up the MIC.

<sup>115</sup>Serge Schmemann, "Soviet Hard-Liners Keep Up the Attack," New York Times, 25 June 1991, sec. A, p. 6.

<sup>116</sup>Tsyppin, "The Committee for Defense and State Security of the USSR Supreme Soviet," 10.

the military unilaterally. This has caused some alarm in the military and those proponents of a strong military. What does this mean for the Soviet military's use of the U.S. threat as a force justifier?

Those outside the Military, KGB, and the Ministry of Defense quite possibly see the decline of the U.S. as a threat as a way to make their positions better known. If these voices begin to be heard then the military may not have as strong of a role to play in the decision-making of defense spending. The cut backs of programs such as the B-2 in the U.S. could add to this trend. Some sectors of the Soviet political process could observe our Congress cutting back our defense and they in turn could push for a similar Soviet unilateral reduction. This action-reaction phenomena could cause a snowball effect that could start a build-down on both sides with little input from either military.

Secondly, both countries are grappling with huge budget deficits. The urge to save money may cause both legislatures to slash defense expenditures. Although it is less likely to happen in the Soviet Union as long as the military are allowed to remain members of the legislature and the military at the same time. Even though they are a minority in the legislature they do wield considerable power and have several staunch allies in other members. This unique situation will aid them in maintaining an influence in military and budgetary affairs for some time to come.

In an effort to exert more control over the Ministry of Defense and the military the Congress has begun to attempt, with the Financial Planning committee, to control defense expenditures. Fortunately for the Soviet military the legislature does not yet comprehend the "power of the purse."

However, the Congress now requires the Ministry of Defense to make yearly reports to it, and to submit the military's request for a budget. Last year Congress gave the Ministry a list of 20 questions concerning military affairs. The Ministry and the military ignored them, but this year the Congress is pushing hard in an attempt not to allow that to happen again.<sup>117</sup>

In addition to looking to the military for expertise, some members of the legislature are turning to academics and scientists. This is very similar to what the U.S. Congress did during the ABM debate. Both groups have their own policy preferences and are making their voices heard.<sup>118</sup> Some Soviets believe that these groups have little say and their voice will not substantially increase in the future.<sup>119</sup> I strongly disagree with that premise. The freer a society becomes the more those types of voices will be heard.

The "Green" movement is another group wishing to have their concerns heard. They are a "noisy minority" whose support is at the grass roots level.<sup>120</sup> This movement is pushing for nuclear free zones, and has successfully lobbied the Kazakh Supreme Soviet to impose a moratorium on nuclear testing in Khazakistan.<sup>121</sup> This moratorium was suppose to take effect in 1990. In addition, this group is concerned about pollution that has come from years of military production, and future pollution which is bound

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<sup>117</sup>Ibid.

<sup>118</sup>Zubok, Berezin, and Garthoff, "New Thinking in Soviet Military Doctrine," 148.

<sup>119</sup>Urbanovich.

<sup>120</sup>Berezin and Zubok.

<sup>121</sup>D.J. Peterson, "The Impact of the Environmental Movement on the Soviet Military," Radio Liberty: The Report On The USSR, 15 March 1991: 5-9; This halt in testing has implications that go beyond arms control and strike at the heart of nuclear stockpile safety.



to occur from weapons destruction as the Soviets comply with previously signed treaties such as INF and CFE.<sup>122</sup>

The ecological movement is also split along nationalism lines. These groups are pushing for more control over ecological problems in the republics and in doing so they are aligned against the center in both a nationalistic way and an anti-military way. However, they are caught between the economic pressures from the central government and the desire to improve their surroundings.

"However, committed to the environmental protection the new, democratically elected governments may be, they nevertheless face limits. First, the transition to an efficient and environmentally clean economy is slow and painful, cost jobs and tremendous resources, and thus requires that improved living standards be further postponed. Second, devolution of authority does not guarantee that sound environmental policies will follow.<sup>123</sup>

Success of the Green and nationalism movements in the nuclear realm of environmental protection may spill over into other areas of the defense arena if the republics continue to gain more autonomy.

Each group I have mentioned has its own agenda and is set on pursuing that agenda to its fullest. This has been the cause of much "polarization" and "factionalism."<sup>124</sup> This factionalism and politicizing has the Foreign Ministry very worried about ratification of the recently completed CFE treaty and the future START treaty. Both treaties are to be submitted to several of these new

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<sup>122</sup>Zubok.

<sup>123</sup>D. J. Peterson, "Environmental Protection and the State of the Union," Radio Liberty: Report On The USSR, 22 March 1991: 6-8.

<sup>124</sup>Zubok and Berezin.

legislative Committees, and this concerns the Ministry a great deal. This sounds very familiar to our own State Department.<sup>125</sup>

The Republics may present the Soviets with a problem that we do not have to encounter. Our States have no role in the treaty making process, nor are they demanding one. However, the Soviet Republics, in their push for autonomy and sovereignty, are broaching this subject. On one hand Boris Yeltsin has said the Republics should have a voice in domestic affairs which affect all the Republics. On the other hand he has indicated that he does not want the republics to take over all union functions.<sup>126</sup>

I think it is just a matter of time before the Republics attempt to exert their influence in foreign affairs. Soviet scholars are also concerned about this possibility. They see the Republics pushing for veto power over important aspects of foreign and domestic policy.<sup>127</sup> In essence one Republic out of fifteen could kill an arms control treaty for very parochial reasons. A Republic may hold this power over the national government in order to get its way on some unrelated issue.

Besides the full congress of People's Deputies wanting the right to vote on treaty ratification they may assert their desire to be involved in many stages of the treaty process. An obvious next stage for the Soviet Congress may be their actual involvement in treaty ceremonies and negotiations. Complications in the treaty process may force the Soviet executive branch to

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<sup>125</sup>The CFE treaty will be submitted to the Soviet legislature in mid 1991 for ratification. This follows the exchange of statements, by the 22 nations involved in CFE, clarifying the "outstanding differences." "Outstanding Differences' Removed in CFE Talks," FBIS, 17 June 1991, 1.

<sup>126</sup>Maureen Dowd, "Bush Meets and Commends Yeltsin But Cites Support for Gorbachev," New York Times, 21 June 1991, sec. A, p. 1.

<sup>127</sup>Berezin.

resort to executive agreements between the Soviet government and foreign governments.<sup>128</sup> In order to get around the complexities and problems associated with treaty making the United States has used the term executive agreement to justify some government-to-government agreements. They have the same force as a treaty and are legally binding under international law. Usually any international agreement not submitted to the Senate falls into this category. This is an ambiguous definition utilized to avoid "legislative scrutiny," thus avoiding the embarrassment of defeat and denial.

Just as with our relationship with Japan there are several factors which will create problems in our relationship with a new Soviet democracy. A liberal democracy is full of formal and informal groups who push and lobby for their own agenda. In the Soviet Union these groups fall between the breakaway Republics on the left and the hard-liners on the right. While pursuing future arms control agreements U.S. planners must be aware of the problems which will be presented by the Legislature, Military, KGB, Republics, public opinion, and a variety of ancillary groups (Academia, Greens, etc.).

## **2. Opportunities for the U.S.**

Besides the problems presented by the eventual Soviet government structure there are a great many opportunities as well. We have to learn to take advantage of a more open and free Soviet society. No longer will policy making be as cloaked in secrecy as it has been in the past. U.S. policy-makers must be able to perceive openings created in the Soviet political landscape.

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<sup>128</sup>Kegley and Wittkopf, American Foreign Policy, 414-415.

As currents of positions ebb and flow it is important to pick and choose when and how to pursue U.S. national security interests.

Decision-makers have to be able to take advantage of these opportunities created by the Soviet Union in transition as well as when they finally reach a stable democratic form of government. The time may be right for us to take advantage of the opportunities created by all of the old and newly formed interest groups in the Soviet Union. We may well want to play one or more groups off one and other.

"...contemporary evidence suggests that current Soviet conditions may be ripe for the exercise of this kind of fine-grained intervention through the use of arms control and foreign economic policy."<sup>129</sup>

In doing so we can help ensure good arms control agreements will be reached, and we quite possibly help further reform in the Soviet Union. One scholar in analyzing these opportunities has written:

"First, the aims of U.S. policy should be to discredit militaristic and party-ideological cartels and to strengthen Soviet institutions exerting countervailing power against them. Promoting "democracy" in the Soviet Union should be the U.S. goal only insofar as it serves those ends. Second, this can be done by targeting U.S. behavior at discrediting the foreign policy arguments of militaristic and expansionist groups and showing that the international platform of the reformers is sound. Third, the United States can also use arms-control and foreign-economic policy to promote the growth of Soviet institutions that have a stake in a stable detente, the knowledge to argue its benefits in Soviet councils, and the successful track record to make those claims credible. Fourth, this strategy is worth attempting even if the Gorbachev domestic reforms have only a modest chance of success. Implementing this approach does not require making unilateral concessions that would jeopardize Western security in the event that Gorbachev failed."<sup>130</sup>

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<sup>129</sup>Jack Snyder, "International Leverage on Soviet Domestic Change," World Politics, October 1989: 1-32.

<sup>130</sup>*Ibid.*, 22.



It was interesting to discover that the Soviets already understand the importance of conducting policy in such a manner. Recent research work has outlined just how the Soviets study and use information about our political system.<sup>131</sup> The Soviet reaction to the Senate debate and ratification to the recent Intermediate-range Nuclear Forces (INF) Treaty was indeed interesting.

“Soviet americanists, while largely sharing the view of most American observers that the INF Treaty would ultimately be approved by the Senate, were nonetheless uneasy about the length of the debate and the potential of the opposition to frustrate and complicate Senate approval. Thus, while amerikanistika [the Soviet study of American foreign policy for the purpose of aiding the formulating of Soviet leadership policy decisions] on the Senate debate was largely straight forward, apprehension was apparent in the description of the slow process leading to eventual approval.”<sup>132</sup>

It is my belief that this type of political analysis, though already done now to a certain extent, will become even more valuable in the future. This will be the only manner in which we can make the critical decisions involved in national security as the situation in the Soviet Union continues to evolve.

Democratic governments can take many form as I have shown by my definition in Chapter II. In this chapter I have laid out the heart of my thesis by analyzing a relationship with analogous negotiations, and by looking at what the Soviets may do in the way of arms control in a democracy. It is my hope that decision-makers will utilize these two comparisons in an attempt to gain valuable insight into inter-democracy relations. In the next chapter, I will look at where we should be going with future arms control agreements.

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<sup>131</sup>Robert T. Huber, Soviet Perceptions Of The U.S. Congress: The Impact on Superpower Relations, (Boulder, Colorado: Westview Press, 1989.)

<sup>132</sup>*Ibid.*, 170 and 171.



## VI. CONCLUSIONS

Having discussed the implications of a new form of Soviet government on treaty negotiating and ratification it is important to understand the role of arms control in U.S. strategy. In this chapter I will look at the present U.S. approach to arms control with an eye on the future for U.S. policy-making. In doing so, I will examine as well as the goals of U.S. arms control policy. In addition, I will draw some conclusions as to where we should go with future arms control initiatives.

### A. U.S. APPROACH TO ARMS CONTROL

The most logical place to begin in analyzing the U.S. approach to arms control is the President's National Security Strategy. The President has broken down his strategy into three (3) agendas— Political, Economic, and Defense.

As with our definition of arms control the President has made arms control part of the U.S. political agenda. It is important to understand his agenda when looking at the future of arms control negotiations and agreements. In the National Security Strategy he spells out where arms control fits into U.S. policy and how decision-makers will evaluate arms control agreements.

"Arms control is a means, not an end; it is an important component of a broader policy to enhance national security. We will judge arms control agreements according to several fundamental criteria:

First, agreements must add to our security. Our objective is to reduce the incentives, even in crisis, to initiate an attack. Thus, we seek not reductions for reductions' sake, but agreements that will promote stability. We will work to reduce the capabilities most suited for offensive action or preemptive strike.

Second, to enhance stability, we favor agreements that lead to greater predictability in the size, nature, and evolution of military forces. Predictability through openness expands the traditional focus of arms control beyond just military capabilities and addresses the fear of aggressive intent.

Third, agreements are effective only if we can verify compliance. As we broaden our agenda to include issues like chemical and missile proliferation, verification will become an increasingly difficult challenge, but effective verification will still be required. We want agreements that can endure.

Finally, since the security of the United States is indivisible from that of its friends and allies, we will insist that any arms control agreements not compromise allied security."<sup>133</sup>

This political agenda is designed to dovetail with the defense agenda. Both work in concert with the economic agenda to form three legs to U.S. policy. Arms control is but a part, an important one, but still just a part of overall U.S. strategy. Joseph Nye has written:

"In the 1950s the early theorists of modern arms control aimed to reduce the risk and damage of war and save resources. Since those goals are not very different from the objectives of defense policy, it is natural for defense and arms control measures to interact as complementary means to the same ends. the management of international security in the future is likely to require more, not less, attention to the political role of arms control."<sup>134</sup>

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<sup>133</sup>George Bush, National Security Strategy Of The United States, (Washington, D.C.: Government Printing Office, 1990), 15-16.

<sup>134</sup>Joseph S. Nye, Jr., "Arms Control After The Cold War," Foreign Affairs., Winter 1989/90: 42-64.

## B. U.S. ARMS CONTROL GOALS

Directly linked to the U.S. approach to arms control are U.S. arms control goals. Goals can be viewed two ways. On one hand the direct goal of an arms control agreement may be the constraint or reduction of certain weapons systems or forces. On the other hand there may be spin-off or tertiary goals.

In the context of a direct goal in the near term the President will attend a summit in Moscow to complete the Strategic Arms Reduction Talks (START). He and his advisors cleared the last hurdles blocking the completion of the agreement in late July 1991. In the long term the President has made a number of goals that are geared toward a variety of areas. They include a START II agreement, Chemical Weapons ban, expansion of the Nuclear Test Ban Treaty, an Open Skies regime, and a number of CSBM's.<sup>135</sup> Some will be pursued bilaterally with the Soviets and others will be sought after in a multilateral forum.

Spin-off effects of arms control agreements are hard to measure, but undoubtedly they do occur. One of those spin-off effects is enhanced superpower relations.

"Arms control, it was felt, might also have a beneficial impact upon superpower relations generally, not just the military-strategic relationship. If adversaries could develop the habit of mutually beneficial cooperation in an area of their relations as fraught with tension as the strategic balance, then this habit of cooperation might spill over into other areas. It might then act as a catalyst for the solution of political problems."<sup>136</sup>

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<sup>135</sup>Bush, National Security Strategy Of The United States, 16-17.

<sup>136</sup>Sheehan, Arms Control: Theory and Practice, 11-12.

I would contend that this phenomena may be a two-way street. That is to say that other political developments may affect arms control as much as arms control influences them. In testifying before the House committee on Foreign Affairs, the Arms Control and Disarmament Agency (ACDA) Director, Ronald Lehman may have recognized this when he said, "Arms control helps manage the symptoms of tension; political reform helps reduce the causes."<sup>137</sup>

He was undoubtedly speaking of the political reform in the Soviet Union. As I stated earlier we do not know where the path of political reform will take the Soviets, but it is within our interest to facilitate them along the way. How we aid them is a completely separate subject. However, as one scholar has written arms control is certainly one part of our relationship with the Soviet Union, and it may help facilitate them down the road of reform. Therefore, what about the future with respect to arms control with the Soviets.

In past treaty ratification the Presidium appeared to be nothing more than a rubber stamp to any treaty signed by the General Secretary and endorsed by the Politburo. This will definitely not be the case in the future. The future is very uncertain and there is one analysis which summarizes it very well.

"The emergence of a multiparty system in the USSR, with various political groups pursuing different—and at times opposing—goals, is coinciding with a period during which the central authorities are being inconsistent in their implementations of democratic reforms. Representatives of the new movements are often politically

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<sup>137</sup>Congress, House, Committee on Foreign Affairs, Status Of U.S. Arms Control Policy, 101st Cong., 2nd sess., 1, 14, and 21 March 1990, 11.

inexperienced, and the CPSU is facing a serious crisis that may well result in a split in its ranks. This makes the political situation highly unpredictable."<sup>138</sup>

The Soviets are currently in a state of "unbalanced equilibrium."<sup>139</sup> Total reform of the Soviet government may be a long way off, but there is a need for U.S. planners to consider all possible options. I only presented four possible outcomes to the transformation that is now taking place. A new union treaty for the Soviet Republics will be necessary for any further meaningful reform to take place. This treaty is a necessary hurdle that must be cleared before a new national government constitution can be implemented. There is no set timetable for any of this to occur, so it is wise for U.S. analysts to be prudently cautious and optimistic.<sup>140</sup>

Due to this uncertainty it may be best for U.S. decision-makers to "hedge" their bets. A truism now is to make plans for the worst case scenario. That is not to say we should balk at arms control treaty negotiations or not commit to a sound arms control treaty. I am merely pointing out that we must enter any negotiation or agreement with full cognizance of the domestic Soviet environment.

"Behind both negotiations, [CFE and START], however, lurks uncertainty about the future of Gorbachev and his reforms. Skeptics in the Defense Department and elsewhere in the administration argue that the United States should not let down its guard. They point to the reversal of Khrushchev's reforms tow decades ago and warn that Gorbachev's reforms are similarly reversible. They urge an attitude of 'wait and see.' Others argue that the possibility of reversal makes it all the

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<sup>138</sup>Tolz, "The Emergence of a Multiparty System in the USSR," 9.

<sup>139</sup>Berezin.

<sup>140</sup>Berezin believed a new union treaty would pass within a two month time frame of December 1990, and that a new constitution will be adopted by mid-Summer 1991. It now appears that these events will not happen until late 1991 early 1992.



more urgent to seize this opportunity to reach favorable agreements in an approach that can be characterized as 'locking in gains.' On balance, however, uncertainties about the permanence of the Gorbachev phenomenon tend to slow progress in arms control."<sup>141</sup>

On the other hand it is quite possible that both the U.S. and Soviet Union will be forced to make unilateral cuts for reasons other than arms control. Economic constraints in both countries may cause each to evaluate military expenditures on different merits.

Arms control treaties should be arranged when there exists mutual benefit for both sides. They should not be used for political purposes, and we should not make agreements for the sake of making agreements. Remember that arms control does not have to be disarmament, but instead it can be any type of reduction. Any agreement concluded must be in the United States' national security interest and it has to be meaningful and verifiable. It is important to remember the Soviets are still embarked upon a modernization program for all of their strategic forces--ICBMs, SLBMs, bombers, and air and ballistic missile defense forces.<sup>142</sup> As I stated earlier there is no guarantee that democracies will always get along. That very important security reason looms ever larger in this light.

If governmental reform in the Soviet Union is successful then the opportunity will exist to pursue meaningful arms control. It must be remembered that any arms control agreement made will be subject to verification and that it will be extremely difficult for the Soviets to break in a

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<sup>141</sup>Nye, "Arms Control After the Cold War," 51. This article was written prior to the completion of CFE and START, but one can apply any negotiation that is ongoing into Nye's first sentence. The principle remains the same.

<sup>142</sup>Dick Cheney, Annual Report to the President and the Congress, (Washington, D.C.: Government Printing Office, January 1991), 51.

major way. Additionally, any agreements made at a given time with a government of a country carry over to any new government formed subsequently. Therefore, the time may be right to lock the Soviet Union and ourselves into arms control agreements that really do substantially reduce the risk of war.

There is one serious misgiving connected with unilateral arms control by either side without the benefit of negotiated treaty. With unilateral reduction you only bring yourself down and you may not force or compel your opponent to join you. To me that is the key. Formalized arms control helps ensure both sides reduce their forces.

"The alternative to some form of negotiated arms control is, in fact, uncoordinated force cuts and unilaterally determined modernization programs--the two sides of the restructuring coin. Obviously, such restructuring will not yield automatic improvements in stability. Worse still, the results of haphazard cuts could be a military relationship between the major powers that is even less stable than the one that exists today....Arms-control-without-agreements is even more vulnerable to changing circumstances than arms control registered in a formal treaty because there are no formal laws or treaty obligations to restrain governments.<sup>143</sup>

With this in mind, leaders must look for the right conditions to be in place before embarking after agreements that are too ambitious.

"Policy makers recognize there is no guarantee that an arms-control agreement will secure the advice and consent of the Senate (or the Soviet legislature [my interjection]), no matter how well conceived and negotiated. The factors that determine the outcome of the ratification process are many, diverse, and may be unrelated to the agreement. They also are often beyond policymakers' control...(they include):

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<sup>143</sup>James E. Goodby, "Can Arms Control Survive Peace?," The Washington Quarterly, Autumn 1990: 93-104.

- = Tenor of the times;
- = Public perception of an agreement's scope and effectiveness;
- = International developments;
- = Congressional dynamics (Soviet Legislative dynamics [my addition]);  
and
- = Executive branch cohesion.<sup>144</sup>

These will all come into play in future arms control agreements between the U.S. and Soviet Union. Careful observation and analysis is crucial for both sides' policy-makers. What has been said about the U.S. in the past concerning arms control may be able to be said about the new Soviet Union. The inherent idiosyncrasies of a democratic government will be in evidence on both sides.

Future arms control treaties between the U.S. and USSR may become more difficult rather than easier because of these factors. Some may argue that even with these factors arms control may no longer be necessary between two cooperating democratically based governments. On the other hand, arms control may come more natural as a by-product of democracy. I have proven that both of these are difficult propositions to subscribe to when dealing with another democracy that will have the military potential of the Soviet Union.

In approaching those issues it is important to remember another part of the ACDA Director's testimony.

"A defense policy of deterrence and arms control agreements are complementary means to the common purpose of reducing the risk of war. The principal goals of all our arms control efforts are to reduce the risk of war- nuclear or conventional- deter aggression, and increase stability at lower levels of armed forces."<sup>145</sup>

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<sup>144</sup>Paula L. Scalingi, "Ratifying Arms-Control Agreements," The Washington Quarterly, Spring 1991: 109-124.

<sup>145</sup>Congress, House, Status Of U.S. Arms Control Policy.

It is my hope that I have brought to the surface of policy and decision-making a very important topic. There remains a significant amount of analysis and research required in this field. Many unanswered questions persist, and their answers will have a direct influence on U.S. national security planning. Both the U.S. and Soviets may approach negotiations for arms control differently if they perceive negotiation and ratification problems on their own or their counterpart's home front. The Soviets are learning first hand that domestic factors are inextricably linked to foreign policy.

There is a definite paradox associated with the future. The Soviets may finally conform to the system of government we have advocated for so long; and in doing so they may jeopardize mutually beneficial arms control treaties with complicated or unattainable negotiation and ratification requirements. Ironically our own democratic form of government may be the best system for individual rights and at the same time the root of future nation-state interaction problems.

An additional irony is that for a great many years we have strived for the demise of the Soviet Union as a communist state, and now we may find that it is more difficult to effectively deal with them on many important issues. At present, we are now more concerned with stability in the Soviet Union vice unfettered reform. That does not mean we do not seek reform at a rapid pace, but it does imply we are concerned about chaos and instability that would be created if reform was to occur unabated.

Should the Soviet Union successfully transform itself into a democracy of some sort, and it is my hope and belief that they will, it will indeed be interesting to observe how they manage representative politics. Seventy plus

years of communism certainly taught them how to run bureaucracies, maybe they will be better at it than the U.S. Mikhail Gorbachev and Boris Yeltsin are both adept at playing western politics and utilizing public opinion for their own benefit. We must not not be unprepared for own game.

This thesis has proven that arms control is still necessary with a democratic Soviet Union, and that it may become more difficult rather than easier. The achievement of solid agreements will require the U.S. to consider all of the aspects involved in the Soviet political process. Each chapter of this thesis built this argument by ensuring the reader understands as much as possible about arms control with the new Soviet Union. Undoubtedly a great many issues remain, but it was my desire to stimulate U.S. decision-makers thought processes with regards to these issues.

"Arms control will never provide all the answers to national security. In some cases, it might even do more harm than good. In all cases, it will have to be integrated with other dimensions of policy and other policy instruments. But the changing nature of world politics suggests both new roles and new importance for arms control. If an arms control process did not exist, we would assuredly have to invent it."<sup>146</sup>

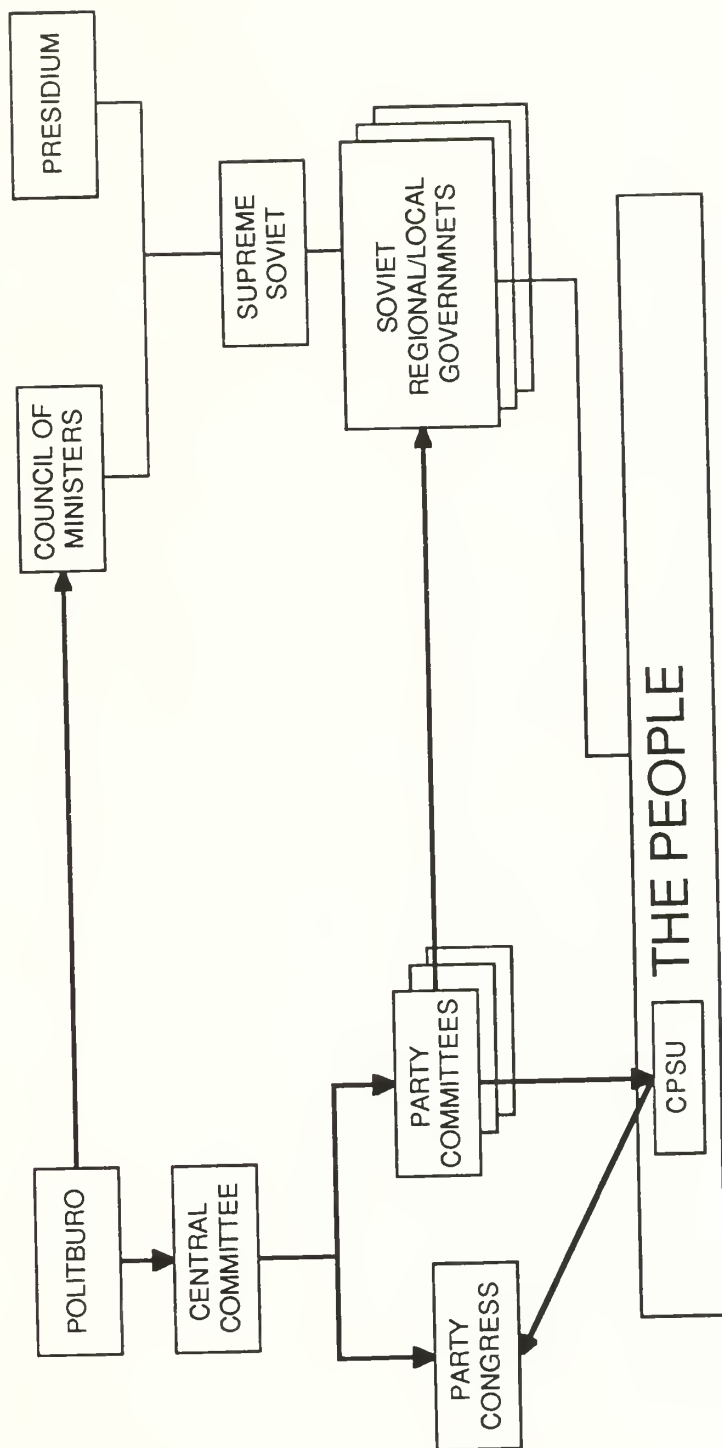
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<sup>146</sup>Nye, "Arms Control After the Cold War," 64.

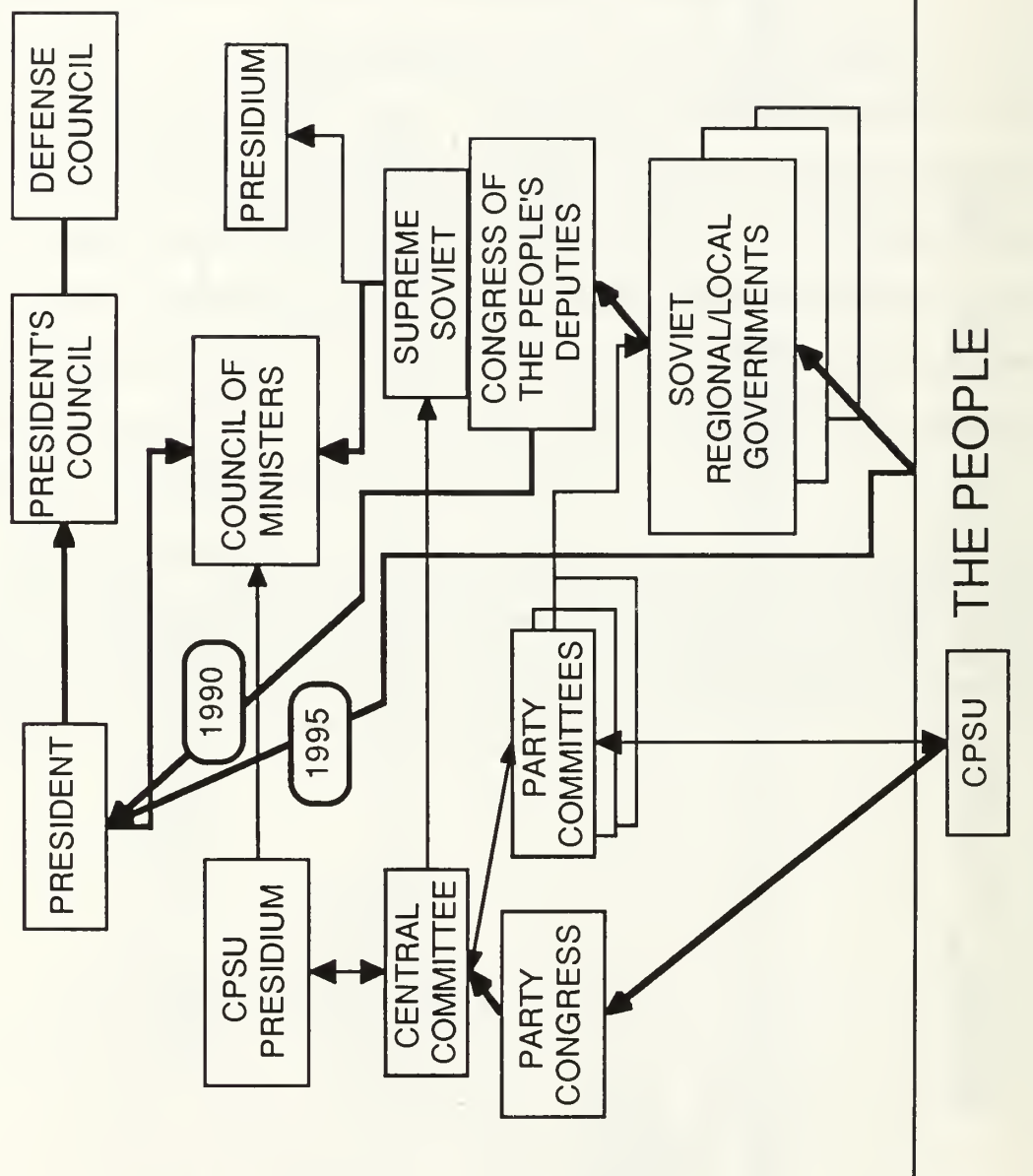


## Appendix A

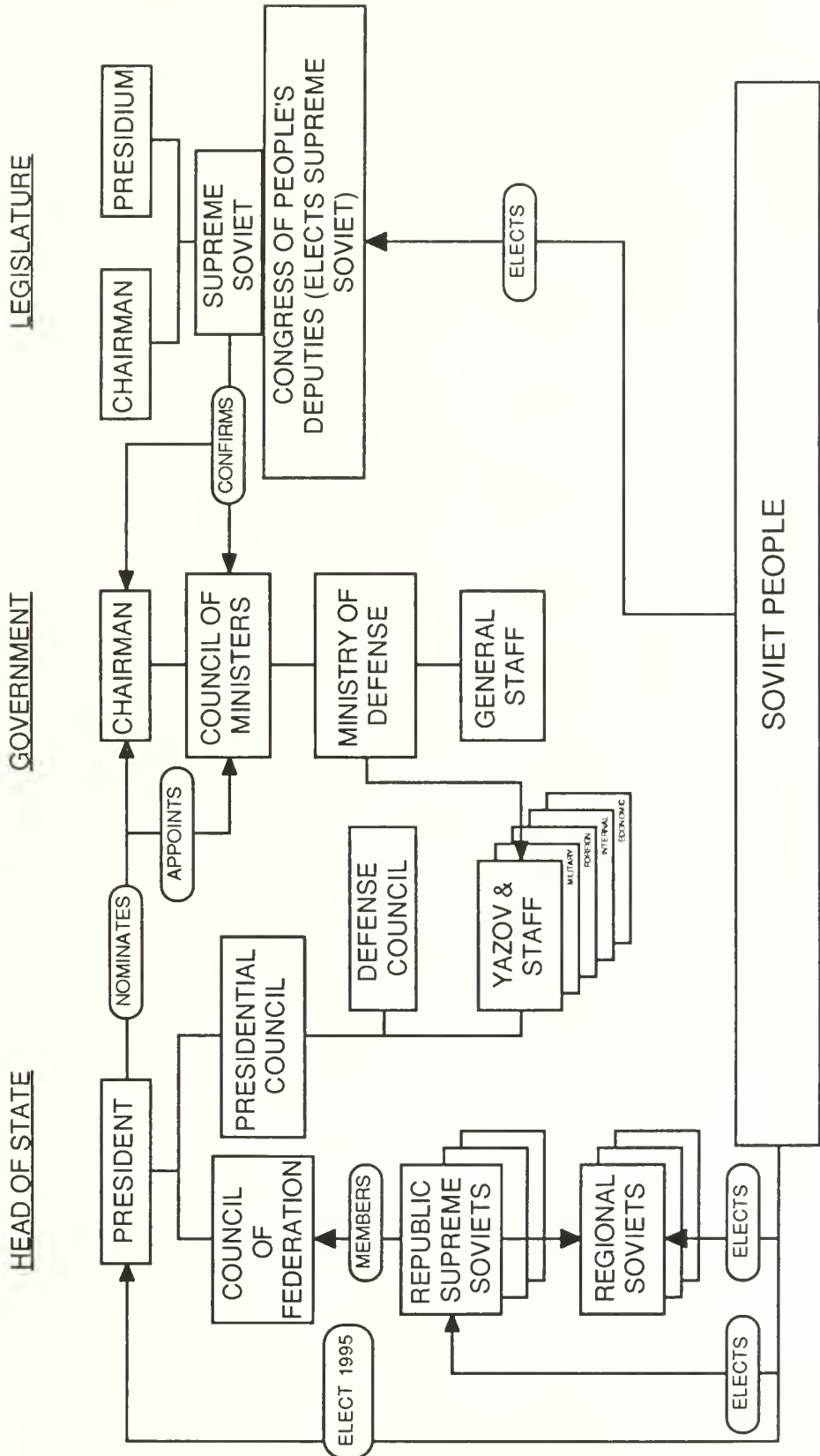
# SOVIET POWER STRUCTURE-PRE 1989



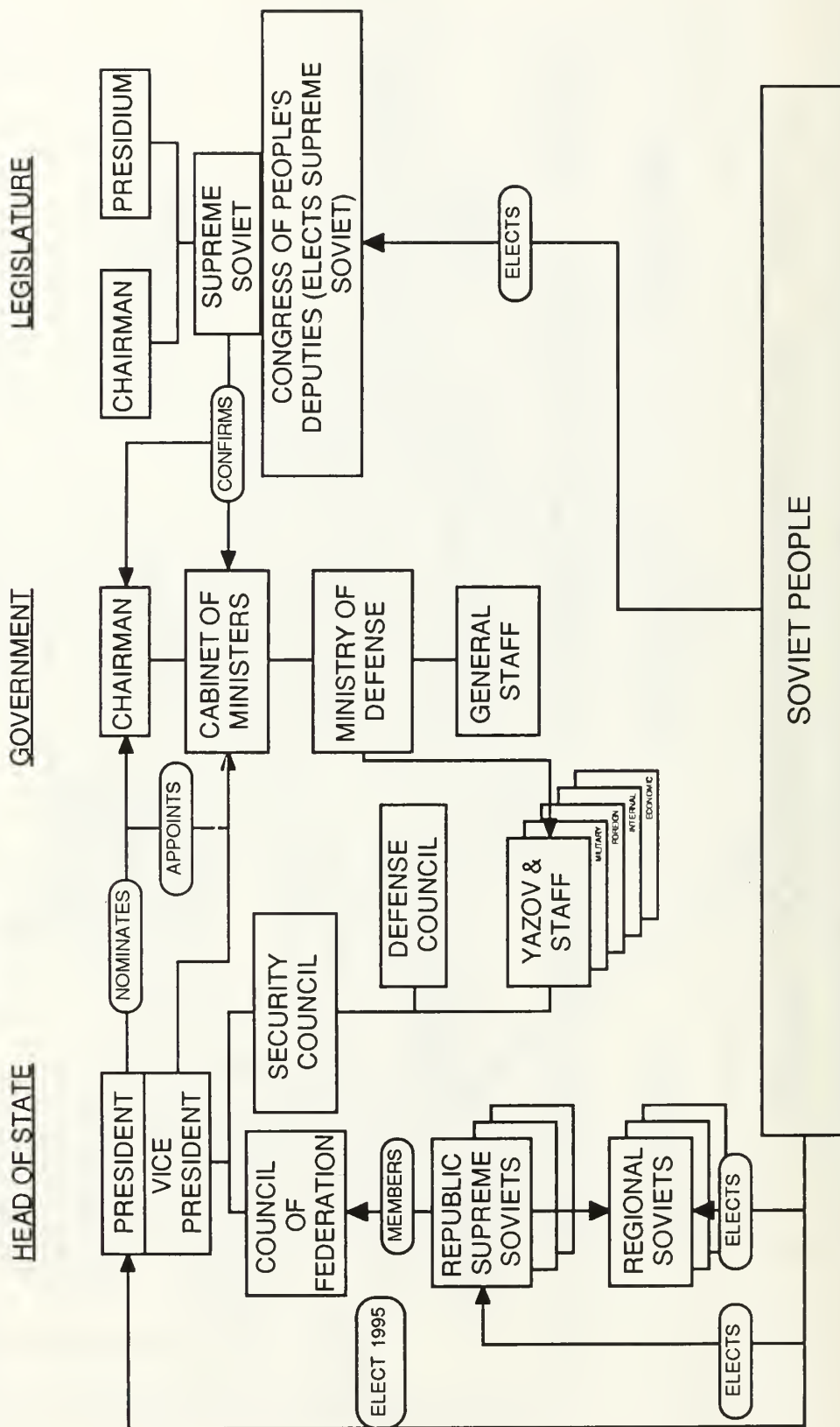
# SOVIET POWER STRUCTURE IN TURMOIL-1990



# SOVIET GOVERNMENT IN TRANSITION 1990/1991



# SOVIET GOVERNMENT IN TRANSITION 1991 REVISED



## Appendix B

### Congress of People's Deputies (CPD)

2250 members elected by popular vote every 5 years: 750 from population-based electoral districts; 750 from administrative districts; 750 from national public organizations. The CPD elects the Supreme Soviet and its Chairman, and approves the state plan and budget and constitutional amendments

### USSR Supreme Soviet

542 members elected from the CPD by secret ballot. Divided into two Councils scheduled to meet in the spring and fall for sessions of 3-4 months. Supreme Soviet enacts legislation, approves top government appointments, helps prepare state economic plan, ratifies treaties, approves declaration of internal emergency situations, authorizes use of armed forces abroad, declares war. Up to one-fifth of members can be replaced annually.

### Presidium Of The Supreme Soviet

Composed of the Supreme Soviet leadership (Chairman, chairman and deputy chairman of both Councils; committee/commission chairman; representatives from each territorial/administrative unit). Prepares agenda and organizes work of CPD & Supreme Soviet, coordinates commissions and committees, and organizes nationwide discussion of USSR draft laws.

#### Council of the Union

Chairman, 271 members based on equal population districts. Responsible for national issues: economy, legal rights, foreign policy, national security.

##### Commissions

- Industry, Energy, Machinery, & Technology
- Ethics
- Labor, Prices, & Social Policy
- Planning, Budget & Finance
- Transportation, Communications & Information Technology

#### Council of Nationalities

Chairman, 271 members based on administrative regions. Responsible for federal & interethnic issues.

##### Commissions

- Afghanistan War Veterans Affairs
- Consumer Goods; Trade, & Municipal, Consumer, & Other Services
- Culture, Language, Nat'l & Int'l Traditions, & Protection of Historical Heritage
- Nationalities Policy & Interethnic Relations
- Social & Economic Development of Union & Autonomous Republics, Oblasts, & Okrugs

### Joint Committees Of The USSR Supreme Soviet

Responsible for oversight of ministries, initial confirmation of top appointments. Half of the members are drawn from the Supreme Soviet, half from other CPD members.

- |   |  |
|---|--|
| Agrarian & Food                                 | Law & Order and Battle Against Crime                                   |
| Construction & Architecture                     | Legislation  |
| Defense & State Security                        | Science, Education, Culture & Upbringing                               |
| Ecology & the Rational Use of Natural Resources | Soviet of People's Deputies & Management & Self-management Development |
| Glasnost & Citizens Rights & Appeals            | Veteran & Invalid Affairs  |
| Health  | Women's affairs & Family, Mother, & Child Protection                   |
| International Affairs                           | Youth Affairs  |



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